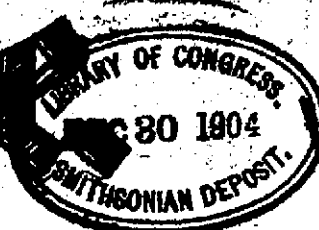


Hawaiian Gazette



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HONOLULU, H. T., TUESDAY, DECEMBER 13, 1904—SEMI-WEEKLY.

WHOLE No. 2650

PREMIUM OFFER FOR NEW BONDS TEN THOUSAND

Secretary Atkinson Cables Two Propositions And Asks the Territorial Treasurer for Advice On the Matter.

The bonds of the Territory of Hawaii are in demand. Yesterday Territorial Treasurer Campbell received a cablegram from Secretary Atkinson, in New York, to the effect that Eastern parties had made him an offer for the Territorial bonds—or, rather, that he had received two offers.

The first was an offer of \$11,000 premium for bonds bearing four and a half per cent interest.

The second was an offer of \$1,000 premium for bonds bearing interest at four and a quarter per cent.

It was not stated in the cablegram whether the offer was for the whole of the proposed new issue of one million dollars in bonds, nor if for a part of the issue, was it specified how much would be taken.

Governor Carter was not at the Capitol yesterday afternoon, being confined to his home by slight indisposition, but Mr. Campbell took the cablegram to his chief nevertheless and, after consultation, it was agreed to cable Secretary Atkinson asking for advice that would clear up the doubts left by his cablegram. That is, the Secretary had asked to be advised by the Treasurer in the matter, and the Governor and the Treasurer, on their part, wanted fuller information before venturing to tell the absent official what, in their judgment, was the best thing to be done.

It is probable that further information will be forthcoming from Secretary Atkinson today.

Even as it stands, if either offer made to the Secretary is for the full issue, either is then a better offer than was made for the bonds last time. The sale of the last lot was made to Fisk & Robinson, of New York, on November 19, 1903, and the whole issue of one million of dollars went for \$1,000,626. That was a small premium, to be sure, but it was rather an agreeable surprise to get any premium at that time. Local high financiers had not expected the bonds to go for more than 98. It will be seen, therefore, that while the present offers are not large, the credit of the Territory is improving.

LIQUOR DEALERS GIVE THEIR IDEA OF LICENSE LAW

Mr. Rothwell Lays the Blame for Illicit Dealing Largely at the Door of the Plantation Authorities.

The liquor men of the islands, through J. G. Rothwell, head of the Liquor Men's Protective Association, have given what will perhaps be regarded as an official utterance of their desires in the matter of liquor legislation for the territory. This utterance comes in the form of a letter addressed by Mr. Rothwell to Governor Carter.

In the letter, besides setting forth his ideas as to the proper form that liquor legislation should take, Mr. Rothwell takes occasion to criticize the action of the Territorial government in this regard in the past, and lays some blame for the illicit selling of liquor also at the door of the sugar planters. The opposition of the planters to saloons on or near the plantation, Mr. Rothwell thinks, is in a very large measure the cause of the illicit business. There are large numbers of men employed there who will have liquor and, if there is no regularly licensed dealer from whom it can be procured, they patronize the man who is not regularly licensed, but who is willing to sell.

The letter follows the desire of the Governor to get the views of various parties interested as to the matter and manner of legislation that, in the view of such parties, would be best for the interests of the whole Territory. There have been a number of conferences with liquor men on the subject of the license laws, and various large and small dealers have been led to express their ideas. The Rothwell letter, far and away the most interesting of these expressions so far, follows in its full text:

Honolulu, November 17, 1904.
Hon. Geo. R. Carter, Governor Territory of Hawaii.
Sir: In accordance with your request I beg to submit the following suggestions on present conditions and prospective legislation on the liquor question in this Territory.

Prevailing conditions with regard to infringement of the liquor laws are not of recent development. They are the growth and evolution of many years and a result of the many changing conditions under which these islands have passed. I attribute the growth of illicit selling of liquor, particularly in the outer districts, very largely to the unqualified and almost universal opposition of the plantation interests to the granting of saloon licenses, by which every administration for the past twenty

years has been largely influenced. Today, as I understand the situation, no license is issued in the plantation districts, unless the plantation manager, or its agent, has been consulted, and expressed either approval or un- concern. It is at the same time an absolute fact that on every plantation there are illicit sellers, who cannot exist, and do not exist, without the full knowledge and toleration of the plantation authorities. Thus the demands of the laboring classes have been met, and no voice heard in dissent: the manager of a plantation has probably felt that he had better control over an illicit seller than he would a licensed dealer.

It has also been the custom in almost every instance where the plantation owns either the wharf or warehouse, for them to make a charge for the priv-

THE FARMERS TALK SHOP

Institute Has Session. Koelling and Castor Oil.

The meeting last night of the Farmers' Institute of Hawaii developed a great deal of wholesome and valuable data for the small farmer, relating largely to the raising of cassava, bananas, oranges, lemons, limes, coffee and other fruits and soil products, while the newest knowledge concerning insects which benefit and prey upon the same was presented.

The institute meeting was held in the library of the Territorial Board of Agriculture and was attended by a large number of men in diversified industries, hailing from all parts of the group. Among the number were Judge Dole, Alexander Crow, the eminent entomologist, Mr. Kotinsky, Messrs. Terry and Paty of Hawaii, Mr. Wells of Kaula, Mr. Koelling of Koolau, L. A. Thurston, Mr. Haugh, Jonathan Austin, Gerrit P. Wilder, A. F. Cooke, D. L. Van Dine, J. Q. Wood, Gata Srisawa, Jared Smith, director of the United States Experimental Station, presided, with J. E. Higgins as secretary.

Jared Smith read an interesting paper on the growing of cassava, manioc or "pia," as it is known among the Hawaiians. The plant had long been cultivated in Hawaii and it had a well known value as a food for cattle. Several ranches growing it for this purpose. The native Hawaiians use it to some extent as an article of diet, and they also make a crude laundry starch from it. Cassava cultivation is attracting attention in Florida and the West Indies, for the manufacture of both starch and glucose. It is said that 40 per cent of the corn crop of the United States is used for the making of starch. The demand for corn is increasing and

(Continued on Page 5.)

liege of landing and storage, and this charge on liquors has been exceedingly heavy, and it will be found in many instances the plantations will have accounts against illicit dealers for such services, and there can be no doubt whatever that the plantation managers are as well if not better able to point to illicit sellers than any individual licensed dealer in liquors. I further believe that the failure of the Government to issue licenses because of objections made by the managers of plantations has been one of the principal causes, not only of the existence of the illicit seller, but also of their immunity from police interference, on account of the policy of the plantations being well known to the police in the several districts. Another cause has unquestionably arisen from the exercise of a great deal of toleration toward more or less strong supporters of the Government during the periods of excitement at the time of the overthrow of the monarchy, and since, until the authorities have at last awakened to the actual condition of affairs. The most potent factor, however, I believe, has been that license has been persistently opposed by the plantation, and the Government has overlooked the logical consequence.

In Honolulu the same political pressure has resulted in the issuance of many more licenses than the town will profitably and legitimately support, with the result that the regular saloons have been, almost without exception, running at a loss for a considerable time; this fact has probably led more or less to a disregard for exact conditions of license, which has also been overlooked by the authorities probably for the same reason of political expediency, or what was thought to be such.

The existence of illicit sellers is no new thing; this has been a cause of complaint by the retail men time and time again, individually and through committees, as has been the selling of liquors by the beer saloons. I have myself complained to the present treasurer and his predecessor, but no action has hitherto, so far as I am aware, been taken. The late E. C. Macfarlane, accompanied by myself on at least two or more occasions, made personal complaints, and were told that it was for us to furnish the evidence, as there were no funds available to otherwise procure it.

A realization of the unsatisfactory state of the liquor license laws induced an organization among the liquor men both wholesale and retail prior to the last regular session of the Legislature, and a comprehensive bill was drawn up and presented on the invitation of the Republican Central Committee. This bill appeared to meet the approval of the Legislature, and was duly passed after several amendments had been made. Governor Dole, however, refused to sign it on technical grounds, the principal of which was "that the title covered more than one subject," and the bill was, therefore, not in ac-

RUSSIAN WARSHIPS SEEN OFF THE CAPE

THE 203 METER FORT.



STRUGGLE AROUND TWO PORT ARTHUR FORTS.

This picture by Frederic Villiers of the Illustrated London News was sketched from the trenches in the foreground. It is the first picture which definitely locates 203-meter hill, the key to Port Arthur, which has just been taken by the Japanese and which the Russians are trying to recapture. From this hill, with heavy guns, not only the town but the dock and all parts of Port Arthur may be commanded. If the Japanese are able to mount heavy guns there, the stronghold will be untenable, except the few forts on Tiger's Tail. At the left of the picture is Fort Namakoyama, which the Japanese are represented in this picture as taking after a gallant charge. The shells bursting in the foreground are from Russian guns. This view looks toward the south and Port Arthur is directly beyond the fort on the summit and a little to the right. This sketch gives a good idea of the country over which the Japanese have advanced at such terrible cost of life within the last two weeks.

Japanese Going Into Winter Quarters Near Mukden.

(ASSOCIATED PRESS CABLEGRAMS.)

CAPETOWN, Dec. 13.—Two Russian warships have passed Cape Point en-route to the Far East.

IN WINTER QUARTERS.

TOKIO, Dec. 13.—The Russians have been repulsed in minor attacks in Manchuria. Preparations for wintering have been completed.

AFTERNOON REPORT.

MUKDEN, Dec. 12.—Attacks by Japanese on the Russian trenches have been repulsed.

TOKIO, Dec. 12.—The bombardment of Port Arthur by the besieging army has damaged the works on Golden Hill, set fire to the arsenal and injured the Russian wireless station.

Washington, December 12th, 1904.

To the Japanese Consul-General, Honolulu:

Our Port Arthur beleaguering army reports that bombardment on the 11th inst inflicted considerable damage on the enemy's Wireless Telegraph Station at the foot of Golden Hill and set the arsenal afire. HIOKI.

OLDEST MEMBER OF THE HOUSE OF COMMONS DEAD

LONDON, Dec. 13.—Charrington, the oldest member of the House of Commons, is dead.

Spencer Charrington, M. P. for Mile End, Tower Hamlets, since 1885 was born in 1818. He was a brewer by trade and a Conservative in politics. He married in 1853, Alethea Charlotte, daughter of Rev. J. Calmeyer, Archdeacon of Hammerfest, Norway. His education was received at Eton.

COOKS AND WAITERS STRIKE.

BUENOS AYRES, Dec. 13.—Cooks and waiters of this city have struck.

DOWIE OUT OF DEBT.

CHICAGO, Dec. 13.—Dowie has paid off his indebtedness.

KAUAI JAPS CARRY GUNS

Chance for International Complication On Garden Isle.

(From Saturday's Advertiser)

Word has come down from Kauai that the idle Japanese on the island, of whom it was said that there are several hundred, have been latterly gathering for drill purposes near Lihue in a manner that raises the question of the preservation of the neutrality of the islands.

These Japanese, who are, as it appears, reservists of the Japanese army, who have presumably been or who are about to be ordered to their colors, have been drilling on the plain near Lihue for several weeks past. They have regular drill, with officers and men in uniform and colors flying, but up to a few weeks ago their maneuvers were performed with wooden guns. These facts were reported by the police officers on Kauai.

Latterly, however, the sounds of firing have been heard to come from the drill ground of the Japanese, indicating that the soldiers have obtained guns from some quarter and that their preparations go to the front have therefore assumed a much more warlike manner. Whether the men have obtained guns enough to arm them completely, or whether they have got only a few rifles with which to indulge in target practice is not stated.

The incident has sufficed to raise the question of the preservation of the neutrality of the islands and it is probable that there will be a looking up of the law upon the point. President Roosevelt, at the beginning of the present war between Japan and Russia, issued a proclamation defining neutrality, setting forth somewhat in detail those things which it was forbidden to residents in a neutral state to do so long as a state of war subsisted between powers toward both of whom the United States was friendly. This proclamation relates largely, naturally enough, to ships and shipping, but it contains this provision among things forbidden:

"Beginning or setting on foot or providing or preparing the means for any military expedition or enterprise to be carried on from the territory or jurisdiction of the United States against the territories or domains of either of the said belligerents."

This, in effect, is a reading of the revised statutes of the United States with reference to the preservation of neutrality. The revised statutes, section 5282, says:

"Every person who, within the territory or jurisdiction of the United States enlists or enters himself, or hires, or retains another person to enlist, or enter himself, or goes beyond the limits or jurisdiction of the United States with intent to be enlisted or entered in the service of any foreign prince, state, colony, district or people as a soldier, or as a marine or seaman on board any vessel of war, letter of marque, or privateer, shall be deemed guilty of a high misdemeanor and shall be fined not more than \$3000 and imprisoned not more than three years."

The section, however, that is specifically covered in the President's proclamation is section 5286, reading as follows:

"Every person who, within the territory or jurisdiction of the United States begins or sets on foot, or provides or prepares the means for any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state or of any colony, district or people with whom the United States are at peace shall be deemed guilty of a high misdemeanor and shall be fined not more than \$3000 and imprisoned for not more than three years."

This statute covers the case of the Japanese drilling on Kauai if any law of the United States does, but of course in the application of these laws the courts have repeatedly taken a wide latitude in ruling upon the applications of the principles of the law to individual cases. In the first place the Japanese who have been drilling are reserve soldiers of Japan who have been on leave and who have now been called back to their colors. They are not in the widest sense, preparing a military expedition against Russia on American soil. At any rate they are not initiating a military expedition against Russia on American soil. They are probably drilling to perfect themselves in the manual at arms in which through lack of practice they have become somewhat rusty. The most serious feature of the case, and the one feature which in their actual possession of arms or American soil.

Again under the law it is a violation of neutrality to prepare an expedition against the territory of any foreign prince with whom the United States is not at war. There is no proof that the Japanese reservists called home from Honolulu are called for any other purpose than to carry on duty in their own country. If they should be sent to the front in Manchuria they would not then be taking part in military operations within the territory of any power in violation of their neutrality. It is one of the four important committees which have charge of the military arrangements of the commerce, and the other three committees are considered the ground of a violation of the neutrality laws on the part of the United States. Manchuria belongs to China, without a part of it is held by Russian troops, and there is abundant reason to believe that the Japanese are to drive out the Russians from the entire sympathy of the actual owners of the country.

SEGREGATION IS ATTACKED

Ashford's Tongue Given Free Play—Andrews Makes Reply.

Attorney-General L. Andrews came in two speeches in the Federal Court yesterday endeavoring to show that the leper segregation laws of the Hawaiian Islands for the past forty years, continuing under the Territory of Hawaii, are contrary to the bill of rights of the Constitution of the United States.

C. W. Ashford occupied two hours in between the two efforts of Mr. Ashford with an address of half an hour.

Judge Dole asked counsel to file their authorities and continued the case—that of a writ of habeas corpus for Mrs. Kalpu—until 10 o'clock Monday morning.

When the case was called Mr. Ashford read a demurrer to the return presented by the Attorney-General on behalf of President L. E. Pinkham of the Board of Health.

Miss Kalpu, petitioner for the writ on behalf of her mother, was in court. Witnesses for the respondent who attended but were not called were Drs. McDonald, Cooper, Mays and Sinclair.

The gist of the demurrer was that the return was made up of conclusions of law rather than statements of fact. Mr. Ashford, in speaking to his demurrer, quoted the famous jurist, Marshall, as warning the constitution makers against "a government of discretion."

Cooley was cited on principles of liberty. Mr. Ashford's authorities related chiefly to commitments for insanity, and for the rest, his argument, if detached from the cool precincts of a court of justice, might fairly be described as an inflammatory attack upon the system of segregation of lepers in vogue here since 1864. The word "hell" was used often enough to impart a distinctly volcanic odor to the argument.

Mr. Ashford made the assertion that persons sent to the settlement were subjected to involuntary servitude, modified only by the discretion of the resident physician.

Mr. Andrews, in his address, flatly denounced the statement regarding involuntary servitude as untrue. The inmates of the settlement were paid for their labor and only required to perform work consistent with a proper regimen of healthful exercise. Mr. Andrews also contradicted the attorney for the writ in a statement that the practice was to have the youngest and most inexperienced physicians on the examining board at the receiving station.

Mr. Ashford admitted, in his main remarks, that he had in times past had something to do with the legislation relative to segregation, but said he had never examined the system carefully until taking up the present case. As a result of this examination he declared these laws to be full of "wounds and bruises and putrefying sores." He contended that even if Mrs. Kalpu was not in the situation represented in the petition the laws referred to were utterly repugnant to the Constitution. His argument and authorities went to the propositions that a medical board was untrustworthy without opportunity of placing expert against expert and having witnesses cross-examined and that the enforcement of the policy of segregation should be in the jurisdiction of some judicial tribunal.

Attorney-General Andrews was at no loss for authorities relating to the protection of the public against contagious disease of any kind. He drew a picture of the situation that would result if the power of the constituted health authorities, exercised in all civilized countries from time immemorial, to quarantine cases of contagious disease was taken away. A man suspected of plague or smallpox might if the proposition of opposite counsel was right, demand to be taken into court for examination before he was sent to a hospital.

Referring to the epithets applied to the settlement Mr. Andrews stated that the United States medical authorities had criticized the administration of the place on account of its very leniency. The people were not deprived of their civil rights. Wisely or unwisely the Organic Act gave them the electoral franchise.

Mr. Andrews contended that the United States would never interfere with the police powers of States or Territories. He submitted it could never be held that the proper segregation of persons afflicted with contagious or infectious disease was a breach of the Constitution.

SOCIAL HONOR WON BY TWO BOYS OF OAHU

At the senior class election held a few days ago at Yale University, George F. Cooke, son of Mr. Charles M. Cooke, was elected chairman of the Cap and Gown Committee, and Charles S. Judd, son of Mrs. A. F. Judd, was elected first member of the same committee. This is one of the four important committees which have charge of the military arrangements of the commerce, and the other three committees are considered the ground of a violation of the neutrality laws on the part of the United States. Manchuria belongs to China, without a part of it is held by Russian troops, and there is abundant reason to believe that the Japanese are to drive out the Russians from the entire sympathy of the actual owners of the country.

JAPANESE MURDERER WILL HANG ON THURSDAY NEXT

Governor Carter Signs the Death Warrant of the Man Who Blew Albion Glennan to Pieces With Giant Powder.



MATSUMOTO MORITARO, SENTENCED TO BE HANGED FOR THE GLENNAN MURDER. DEC. 15—CHESTER DOYLE, WHO MADE OUT THE CASE AGAINST HIM.

Yesterday Governor Carter signed the death warrant of Matsumoto Moritaro, the Japanese convicted of the murder of Albion H. Glennan, and the man will be hanged in Oahu Prison on Thursday, December 15th.

The murder of Albion Glennan was one of the most atrocious crimes that was ever committed in the islands. The man who was slain was the superintendent of work on the Makaweli ditch, on the island of Kauai, and in that capacity hired and discharged many Japanese laborers while the work was in progress. Among these men hired and discharged was the man who is to die next week for the murder of Glennan. Matsumoto proved to be an ugly customer from the first day of his employment on the ditch, and besides being of bad disposition he was lazy and neglected his work.

It is in the testimony taken at his trial that Glennan and Glennan's assistants had spoken to the Japanese man once, striving to get him to pay more heed to work, but it was of no use. The man would not work, and turned ugly when he was spoken to. As a last resort he was discharged, but not by Glennan. He was given his discharge by one of the assistants.

From the man's confession, obtained subsequently by Chester A. Doyle, who worked up the case against him for the Attorney General's office, it ap-

peared that Matsumoto blamed Glennan for his discharge, nevertheless, and took measures to get revenge upon the superintendent.

Glennan slept in a small tent at the ditch camp, the tent being known as the "Ditch Office." On the night of January 8, 1904, Glennan went to his tent fatigued with his day's work and was soon sleeping the sleep of a tired man. The whole camp was quiet. Then there was a terrific explosion and the excited Japanese, and the white assistants of Glennan on the work, rushing from their tents, found the Superintendent bleeding on the ground where his shelter had been, and the tent itself and the bed upon which he had been asleep blown to atoms.

The first thought, of course, was medical help for the injured man, but the fiend who planned his death had meant that he should not have even a chance for life. The telephone wire had been cut a short distance from the tent in which the wounded man had been sleeping.

Glennan lived but a few hours following the tragedy, and suspicion hit at once upon Moritaro, who had been heard to utter threats against the superintendent. He was arrested, and on April 9th was convicted in the Fifth Circuit Court of the murder of Glennan. A great legal battle has been waged in his behalf, his case being carried to the highest court in the Territory, but without avail. He must pay the last penalty.

MAY SAVE INTEREST ON THE NEW BOND ISSUE

Yesterday Governor Carter received a cablegram from Secretary Atkinson, in Washington saying that Mr. Atkinson had reason to think that he could sell the proposed new issue of Territorial bonds with interest at four per cent per annum instead of at four and a half per cent as had been originally proposed.

This was a matter of some moment, as the saving to the Territory would be material in the event that the bonds sold at the same price bearing the lower rate of interest and the Governor at once called Territorial Treasurer Campbell for a conference.

It was agreed as Secretary Atkinson had asked for advice, to cable him that his action in the matter should depend upon the price obtained for the bonds. A sale of bonds bearing four per cent interest at par would be better for the Territory in a monetary way than a sale of four and one-half per cent bonds at a premium of, say, five per cent. Accordingly word was cabled to the Secretary to this effect, and the matter is up to him. It is probable, however, that there will be some further cable conference.

Of course if Secretary Atkinson finds that he can dispose of four per cent bonds to advantage equal to four and one-half per cent, it will be necessary for him to have new bonds printed, but that is a minor matter. The cost of a new issue would be about \$2000, but if the Territory can make \$50,000 or even \$25,000 by the expenditure of \$2000, it would be money well spent.

The whole matter, however, as the

Governor and the Treasurer agreed, is a matter of the price to be obtained for the bonds, and that must be figured up by men accustomed to the operations of large finance. If the bonds were to be sold at par regardless of the rate of interest, the four per cent proposition would be very attractive. The interest on \$1,000,000 at that rate for fifteen years, the life of the bond issue, would foot up \$600,000, and the total the Territory would be called upon finally to pay would be \$1,600,000. On bonds drawing four and a half per cent, under the same conditions, the interest footings would be \$675,000 at the end of the life period, and the total payment by the Territory would be that sum added to one million dollars. If the four and a half per cent were to sell for five per cent premium, the four per cent bonds would still be better for the Territory on the face of the facts as they stand, notwithstanding the premium.

Another feature of the bond business demanding consideration is as to whether the entire million authorized by the president shall be disposed of at this time or only half the issue. There is small economy in borrowing money to be put away for several months unused in the Territorial treasury, while on the other hand the commission of the money market may be such that it would be better to secure the whole amount at once than to run the chance of raising a few dollars over. However, that also is a problem whose solution is in a sense up to Secretary Atkinson. He is closer to the money market than the official here.

ONE JURY REMAINING

Quick Verdict Returned. End of Troubles at Waialua Not Yet In Sight.

The only trial jury panel for the September term of the First Circuit Court now on duty is that of Judge Gear, and it is transferred with the presidency of the term to Judge Robinson for further orders. It will appear on Monday for the trial of Emmett May under indictment for embezzlement.

Judge De Bolt discharged his jury for the remainder of the term, thanking those present and absent for their faithful work. This was immediately after a verdict had been rendered for the defendants in the ejectment suit, with \$3,000 damages claimed, of Ching Man Sing against Mary A. Richards and others. The jury was out only ten minutes. Adverse possession together with title by descent constituted the defense. D. L. Withington and Frank Andrade conducted the case for the defendants. L. J. Warren was counsel for the plaintiff and noted exceptions to the verdict.

ARRAIGNMENTS.

Arraignments under the latest batch of indictments were in order before Judge Robinson yesterday morning.

Ito, a Japanese woman, pleaded not guilty to selling liquor without a license.

All the other defendants had their pleas reserved, until 9 o'clock Monday morning, viz: James Kupieha, two indictments for violating the election law; M. J. Silva, M. S. Freitas and Kaalahu, each selling liquor without a license.

Kupieha is charged with marching a band of men—the "red shirt brigade" of the 7th precinct, 5th district—to the polls, and with having intimidated a voter to vote the Republican ticket.

HOLT ESTATE RECEIPTS.

Receipts passed yesterday from Carlos A. Long to Henry Smith, respectively the incoming and the outgoing administrator with the will annexed of the estate of Robert William Holt. One is for securities consisting of mortgages, notes and bonds amounting to \$13,240. For an original note and mortgage for \$1000, said by his predecessor to have been lost, Mr. Long notes that he assumes no responsibility. The other receipt is upon a statement of cash, showing a balance of \$689.37 paid the new administrator.

COURT NOTES.

Liliuokalani vs. Inter-Island Telegraph Co. was argued and submitted before the Supreme Court yesterday. A. A. Wilder for plaintiff; D. L. Withington for defendant. Plaintiff seeks to collect a judgment against defendant by garnishing its monthly subsidy of \$1000 from the Territory.

A decree by Judge Robinson was filed yesterday, as of December 3, ordering the sale under foreclosure of the property of Hana Plantation Co., M. T. Simonton being appointed commissioner of sale and filing his bond in \$1000 with Harry Armitage as security.

Antone de Costa and Joe de Costa have brought a suit in ejectment against John Vierra for real estate at Kamae, Kalihi Valley, Honolulu, containing 6.3 acres. They claim under a lease from Liliuokalani and ask for restitution of the property with costs.

Judgment by default was given for plaintiff, on motion of C. A. Long, in the suit of First National Bank vs. H. A. Heen and Oriental Life Insurance Co.

ANTI-SALOON LEAGUERS WRITE TO THE GOVERNOR

A delegation from the Anti-Saloon League called on Governor Carter yesterday and presented him the following letter.

Honolulu, Dec. 9, 1904.
Hon. Geo. R. Carter, Governor Territory of Hawaii, Honolulu.

Dear Sir—The Honolulu Anti-Saloon League at its meeting yesterday passed and endorsed a resolution to the following effect:

Resolved, That the Honolulu Anti-Saloon League heartily endorses and approves of the efforts made by Governor Carter to have the laws of the Territory strictly carried out; and especially his efforts to eradicate the illicit sale of intoxicating liquor.

It was the unanimous opinion of the league that the interests of temperance and fair play demanded the passage at the coming session of a local option law and that such a measure should contain a provision that the expenses of any election held under it should be at the expense of those petitioning therefor. Very respectfully,

C. H. DICKEY,
P. M. SNODGRASS,
Committee Honolulu Anti-Saloon League.

A PROMINENT PUBLISHER ENDORSES CHAMBERLAIN'S COUGH REMEDY

Mr. Leon C. Streeter, proprietor of the Worcester, Cape Colony Standard, says: "For the past seven years, or since we have been in South Africa, Chamberlain's Cough Remedy has always been kept in our household. My wife has found it to be invaluable with the children and astringent symptoms have disappeared with astonishing rapidity under its influence." For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

KOREANS TO BREAK STRIKE

Two hundred and fifty Koreans were taken down to Waialua plantation yesterday in an endeavor to break the strike of the Japanese there, out of which grew the riot call for the police on Thursday night.

There are nine hundred men on strike now, their grievances being various. Among other things the Japanese claim that they should have higher pay because sugar is worth more now than it was when they went to work. The fact that they are not working on a sliding scale cuts no ice whatever with them. They argue that the boss is getting more money and so they should. Then, they do not like the way in which trash is dumped upon the cane fields, they demand that a couple of lunas who are personally objectionable to them shall be fired, and lastly they do not like their interpreter, a Japanese preacher of the name of Seki, and demand that the job be given to one Morikama. This man was taken down to the plantation yesterday and so the demand that he be employed will probably be granted.

As to the rest, the demands of the men are now under consideration, but there is small likelihood of a settlement for some days to come. There is a hard lot of Japanese hanging about Waialua, many of them discharged plantation hands, and the trouble of Thursday night was caused directly by the efforts of two of these. These men went to the pumping station at Ka-walooa and tried to get the men working the pumps to leave their posts, but were driven away by the white employees. Then they went down to the Japanese camp and stirred up their fellows to trouble that culminated in the plantation management sending for the police.

MONDAYS FOLLOWING WILL BE HOLIDAYS

By proclamation of Governor Carter, published this morning, Christmas and New Year's day, as public holidays, will be observed respectively on Monday, December 26, 1904, and Monday, January 2, 1905, owing to the falling of the proper festival date in each case on Sunday.

SCROFULA SPREADS.

ALARM CAUSED BY AN INVASION OF ULCEROUS SORES.

Perplexity of the Doctors in a Typical and Serious Case Relieved by an Important Discovery.

The fear which is justly aroused by the appearance of a disease with such fatal tendencies as scrofula, will be relieved by a statement of a recent remarkable cure. Mr. Thomas F. Brown, of the Hume Carriage Company, Amesbury, Mass., says:

"About two years ago I was affected with a scrofulous disease which spread over my whole body. I became greatly alarmed and consulted physicians in Amesbury and in Newburyport. They told me I had a case of scrofula, and that I would have to take the greatest care to avert a fatal result. They pronounced my blood to be in a bad condition and said a long time would be necessary to put me in a healthy state."

"There was chronic inflammation all over my body wherever the disease had spread; there would be a discharge of yellow-colored pus where the skin would break and leave an ulcerlike sore. These sores would dry up for a while only to break and discharge again."

"The medicines which the physicians prescribed had no effect in checking the disease and I was in a most miserable state of discouragement. One day I heard the doctor say that there was danger of the disease terminating in consumption. Then I began to lose all hope."

"One day, however, as I lay in bed reading a newspaper, I read an article recommending Dr. Williams' Pink Pills for Pale People very highly for diseases of the blood, and, as the doctor's treatment during the preceding three months had done me no good, I decided to stop it and take the pills."

"After I had taken three boxes I saw that the inflammation was going down and that there were fewer sores. I realized that I was improving, and I continued to use the pills until I had taken eight boxes. Then I was entirely cured. I am now enjoying good health, have a keen appetite and can do as big a day's work as at any time before I was stricken down, and I firmly believe that I owe my present excellent physical condition to Dr. Williams' Pink Pills." This great blood remedy is sold by all druggists throughout the world.

WILL BE BIG DAY AT HILO

Getting Ready for the Hilo Missionary Son Opening of Mooheau Park. Who Won Fair Fame.

HILO, December 9.—The Herald says that all arrangements for the opening of Mooheau Park are practically complete. There was a meeting of the park trustees last Wednesday night at which Admiral Beckley made public his plan for the opening of Mooheau Park on Monday, January 2.

The Hilo band will be in attendance and will play special music for this occasion. One composition by Prof. Carvalho is dedicated to Admiral Beckley. A bottle of champagne will be broken on the railing by Miss Juanita Beckley and the pavilion dedicated to the town, or Baohua, in this way. There will be an oration by the admiral and addresses by less notable persons one of whom will accept the gift of the admiral on behalf of Hilo.

It is thought there may be a dance in the hall in the evening. There is some talk of races at Hoolulu Park in the afternoon but it is not thought that the attendance would be large with such a counter attraction as the opening of Mooheau. There are few people in Hilo who would not go a long distance to hear Admiral Beckley tell how he had achieved success in the world and the occasion of the opening of this grand park will not be an exception. It is not expected that the park can be laid out by a landscape gardener before the opening exercises but a local draftsman has been asked to prepare plans showing where the new kaunian trees are to be planted. This will be done in colors and will be a work of art when completed.

Captain Fetter has been approached relative to a parade by the members of Company "D" and unless there is something in the rules to prevent it an event of that kind will be one of the minor attractions of the day. The trustees of the park and public grounds of Hilo have intimated a desire to have each citizen plant a tree or shrub in the park grounds at noon, and this, too, may be a part of the program. Visitors will be requested to bring their own garden tools and trees. The banquet to be given in the evening will be a strictly private affair and the number of invitations will be limited.

LYMAN HAS A WALKOVER.

There was no quorum of the executive committee of the Republican District Committee on Monday night of last week to consider the matter of the endorsement of a postmaster to succeed W. I. Madeira, who it is understood has been promoted. Chairman Beers has therefore called a meeting at Fireman's Hall to pass on this matter. It is understood there is only one applicant for the office now, Chas. Siemsen having withdrawn in favor of Norman K. Lyman. This means probably a walkover for Lyman, especially in view of the fact that all the members practically of the Executive Council of the Board of Trade have endorsed his application. Postmaster Madeira has received no official notice of the contemplated change in his status and was much surprised at the public announcement of his promotion.

SUGAR BOILERS ORGANIZE.

A number of planters and sugar boilers of East Hawaii met at Ray's office, Hilo, last Saturday evening and perfected the organization of a Sugar Boilers Association. There were ten or more sugar boilers present, besides Managers C. C. Kennedy, John Watt, John T. Moir and Wm. Pullar. Besides a general discussion of the purpose and benefit to the sugar industry such an organization of sugar boilers might bring, the meeting elected the following officers: President, Wm. Ebeling; secretary and treasurer, John Oserfeldt; and an executive committee consisting of Messrs. Lino, Reinhardt and A. W. von Arnswaldt, which will meet once a month after the first of April next.

NOTES FROM HILO PAPERS.

M. Quinn, who has recently been engaged as supervisor for Contractor Whitehouse on the latter's contracts about Hilo, sprained his ankle last week, which has prevented him from active use of his foot. He has accepted a position as salesman in the Olan store at Keauau, with the duties of which he is especially familiar.

Cecil Brown of Honolulu and Anthony Lidgate of Paauilo, administrators of the estate of Chas. Notley, deceased, arrived on the Kinohi last Friday to file their petition for allowance of accounts, final distribution and discharge from their fiduciary positions. The hearing is set for January 15th.

H. L. Holstein of Kohala is favorably mentioned as speaker of House of Representatives in the next Legislature.

E. N. Holmes left Friday for Honolulu to look after the business interests of his brother, M. V. Holmes, who is at present at the coast.

Next Sunday will be communion day at the Hilo Church and the new individual service recently presented to the church by relatives of the Lyman family, who visited here last March, will be used for the first time. There will be a union service in the evening at which Mrs. Siemsen will sing.

Mr. and Mrs. John H. Lane of Battle Creek, Mich., are visiting Mrs. Lane's parents, Mr. and Mrs. I. A. Hutchinson, at Keumana. The Lanes will probably remain two months or longer in Hilo and vicinity.

Mr. and Mrs. St. Clair Ridgwood returned from Honolulu on the last Kinohi and are in charge of the Volcano House. Mr. Wm. Wright, who has been acting as manager of the mountain house temporarily, returned to Hilo last evening.

The Japanese running the wholesale

DR. LYMAN IS NO MORE

Hilo Missionary Son Who Won Fair Fame.

Dr. Henry Muson Lyman, for many years a prominent physician of Chicago, died Monday at his residence, the Evanston (Ill.) Press, of Nov. 28 says, 404 Lee street, after a long illness. His funeral was held Wednesday afternoon at 3 o'clock at the house, services being conducted by Dr. J. F. Lohs of the First Congregational church and Dr. H. M. Scott of the Chicago Theological Seminary. The pallbearers included a number of physicians of Chicago with whom the deceased had been intimately associated. Interment was at Rosehill.

Henry Lyman was born in Hilo, Hawaii, Nov. 28, 1835. His parents were American missionaries who spent fifty years in the work. He early became very studious. At the age of 5 years he had read the bible through and when he was 7 years old he was familiar with Greek and Latin.

In 1854 he came to this country and entered college. He was graduated from Williams College in 1858, and attended the Harvard Medical College. Then followed a course at the College of Physicians and Surgeons, New York, which was completed with high honors. For a time he was physician at the Bellevue hospital, New York.

He served as assistant surgeon in the United States hospitals in Nashville, Tenn., during the civil war, but was compelled to resign on account of ill health and soon after, in October, 1863, came to Chicago, where he engaged in the practice of medicine. For years he was a professor in Rush Medical College and on the staff of the Cook county hospital. Later he was one of the attending physicians at the Presbyterian hospital and consulting physician to the Hospital for Women and Children and St. Joseph's hospital. He was an honored member of many of the leading medical societies in the country.

Dr. Lyman was the author of numerous books on medical subjects, and a contributor to medical magazines and encyclopedias. "Insomnia and the Disorders of Sleep," is probably his best known work.

He was highly esteemed, not only as a physician and author, but as a Christian gentleman. Three years ago Dr. Lyman was compelled to retire from work on account of ill health. He came to Evanston about one year ago. The deceased is survived by four daughters—Miss Mary Lyman, Miss Margaret Lyman and Mrs. Howard Greer of Evanston, and Mrs. Day, wife of Rev. William Horace Day, pastor of the First Congregational church at Los Angeles, Cal.

Liquor business in Hilo will not renew their license. The place is said to have been run at a severe loss.

The wedding of Miss Frances Mary Williamson to Donald McHattie Forbes will take place at the residence of Mr. and Mrs. John T. Moir on the morning of December 28.

Antone Oak, editor and publisher of A Setta, the Portuguese weekly, entertained a large crowd last Thursday afternoon at a luau at his home at Kaunama in commemoration of the Portuguese independence.

Mr. and Mrs. Ronald C. Kennedy accompanied Mrs. Kennedy's mother, Mrs. Robt. Hawxhurst, to Honolulu, from whence the latter will shortly depart for San Francisco. Mr. Kennedy took with him his new auto car and will remain in the capital city ten days or longer.

After playing hide and seek with the police for three weeks Lau Chan, the Chinese who was sentenced to a year's imprisonment for the theft of a Panama hat from L. Turner Co. and escaped jail the next day, decided to return and was promptly captured.

A Japanese closely resembling the man who killed his wife at the Rickard residence in Honolulu last January was picked up in Kau last Friday and brought to Hilo for identification. He proved not to be the person wanted and was returned to Kau on Monday.

The Japanese who killed a fellow countryman in Kau two weeks ago was seen in the vicinity of the Volcano House last Thursday, but before he could be apprehended he made his escape. He is believed to have returned to the Kau district.

Myriads of grasshoppers can be seen nightly swarming about the street lights and falling upon the pavements. Their numbers are causing housewives and planters some worry for their plants.

Sub Land Agent Williams held a sale of Kalawiki lots in front of the land office on Saturday last at noon. Two lots in Kalawiki and one in Ponahawaii were offered. One of these went to Peter Silva, the original holder, for the upset price \$229.50. Lot 40, Kalawiki, upset price \$185.90, was bought by John Paiera for \$275. There were no bids for the Ponahawaii lot and it was not sold.

P. M. Bechtel, U. S. Immigration Inspector in Charge at Honolulu, was a Hilo visitor Thursday, returning by Friday's steamer.

There was an annual meeting of the Hilo Burns Club held last week when the following officers were elected to serve during the coming year: President, George Wilson, Vice-president, James Henderson, treasurer, Alexander Frazer, secretary, James S. D. Mackenzie, master at arms, Robert Ramsey. There were the usual committees appointed to arrange for a celebration of the anniversary of the poet on January 25. The newly elected officers will begin their duties as officers of the club on that date.

HIGH SHERIFF TO PROTECT PRISONERS IN HIS CHARGE

High Sheriff Henry has determined to put a stop to the business of soliciting clients by lawyers and in behalf of lawyers in the City Prison. This is one of the gravest abuses of the prison system, and perhaps the one that is in most need of reform.

"I propose to have cards printed and posted about the prison," said the High Sheriff last night, "containing the name of every attorney in the city. The prisoners can consult these cards, and if any prisoner wants to see a lawyer, he can have the attorney of his choice. No more soliciting of clients by lawyers, or in behalf of lawyers, will be permitted."

It seems that a certain class of practitioners have been in the habit of hanging about the jail looking for business, and it is intimated moreover that members of the police force have been in the habit of seeking business for certain attorneys, working presumably on commission. This kind of thing has all got to stop. The High Sheriff does not propose to deprive any prisoner of his right to see the lawyer of his choice, but no lawyer will be permitted to make himself the prisoner's choice by discreditable means, and any policeman found soliciting business for an attorney had better begin looking for another job.

The High Sheriff, in this move, is taking steps to reform an evil that has grown to some magnitude, here and elsewhere, and an evil whose development will be rapid if it is not stopped. A man locked up is very apt to take the first attorney who offers himself—and the attorney who offers himself is not, as a rule, the kind of man who will be over scrupulous in his methods.

The result is that the prisoner loses what little money he has, and is not as a rule greatly benefited. As to policemen soliciting for lawyers, that is a thing that may work ill in various ways, not the least of these being the tendency to make frivolous arrests to increase business of the policeman's legal patron. The more clients the bigger the percentage.

Another reform the High Sheriff has in view is the taking of money and valuables taken from prisoners arrested and searched directly into the custody of the upper office. This will relieve the desk clerks of a responsibility—and a temptation perhaps.

THE FUNDAMENTAL LAW OF HAWAII: A NEW LAW BOOK

The Hawaiian Gazette Company, Ltd., announce the publication of a book, edited and indexed by Lorrin A. Thurston, containing the several constitutions and other fundamental laws of earlier days, the annexation treaty, resolutions and procedure and the Organic Act.

The book contains 298 pages of text and 138 pages of index. It is printed in regulation law book type and style and is substantially bound in calf skin.

The price is \$5.

The scope and character of the book and the reasons for its publication are given in the preface, which is as follows:

PREFACE TO THE FUNDAMENTAL LAW OF HAWAII

Congress has expressly enacted a law organizing Hawaii into a Territory, and extended the provisions of the United States Constitution to the Territory.

In a restricted sense, therefore, the United States Constitution and the Organic Act constitute Hawaii's fundamental law; but the Organic Act specifically re-enacts the great body of pre-existing Hawaiian statute law, which was based upon the several Hawaiian Constitutions and organic laws.

A large portion of the law governing real estate, property and personal rights in Hawaii being based upon these early constitutions and laws; and precedents, decisions and court practice having grown out of them, it is necessary to consult them in order to have a comprehensive understanding of existing Hawaiian law. They are nearly all published, however, in books now out of print, and in scattered volumes, inaccessible to many, and inconveniently located for all. In fact, not even practicing lawyers in Hawaii can, except at considerable loss of time, place their hands on the laws and constitutions necessary for the study and decision of practical questions continually being presented to them.

Under these circumstances it is believed that the public interest requires the re-publication in convenient reference form of what may be called "the fundamental law of Hawaii." To meet this requirement the following constitutions, laws and documents have been compiled under the common title of "The Fundamental Law of Hawaii," viz:

1. The first Constitution of Kamehameha III, 1840, including the previously issued Bill of Rights.
2. The first laws of Hawaii, enacted under Kamehameha III, (1833-1842), published together in 1842.
3. The law creating and principles guiding the Land Commission.
4. The second Constitution of Kamehameha III, 1852.
5. The Constitution of Kamehameha V, 1864.
6. The Constitution of Kalakaua, 1867.
7. The Proclamation and orders incident to the establishment of the Provisional Government, 1893.
8. The Constitution of the Republic of Hawaii, 1894.
9. The treaty annexing Hawaii to the United States, 1897.
10. The Resolution of the Hawaiian Senate ratifying the annexation treaty, 1897.
11. The Joint Resolution of Congress annexing Hawaii, 1898.
12. The documents and procedure incident to the transfer of the sovereignty and possession of Hawaii to the United States, 1898; and the executive orders of President McKinley, relating to the government of Hawaii, issued during the transition period between the date of annexation and the passage of the Organic Act, 1898-1900.
13. The Act of Congress organizing Hawaii into a Territory, 1900.

The laws of 1842 are not "fundamental" in the sense that the constitutions and other laws and documents are; but they have been included herein for the reason that they were not only the first written laws of Hawaii, but embodied many of the pre-existing laws and customs of the country and therefore throw a strong light upon the origin and development of much of the present law.

Only a few of the laws, constitutions and documents re-published, have ever been indexed. A full index of all of them is included herein. Instead of one general index, each is indexed separately. The reason for such treatment is that reference will usually be desired to a given subject in some one law or constitution. The subject sought will be much easier found in the short index of the particular law, than it would have been in a necessarily long index of the whole.

The table of contents gives the page of each constitution and law and of its index.

PAHIA MUST PAY VALUE TWO COWS

Maleka Hailale was given judgment against Frank Pahia in the sum of \$50 and costs, on account of two cows unlawfully detained, the trial without a jury having been concluded yesterday before Judge Robinson. C. W. Ashford for plaintiff W. C. Achi for defendant. An appeal was noted.

A decree for the complainant is entered in the Supreme Court in the injunction suit of Hawaiian Commercial & Sugar Co. vs. Waialua Sugar Co., and an injunction issued accordingly enjoining the respondent from using the water from the Ahupuaa of Waialua, in any other manner than authorized in the decree.

Defendant in the suit of R. C. A. Peterson vs. Elizabeth S. Church has twenty days from yesterday in which to file her bill of exception.

EVERYBODY USES CHAMBERLAIN'S COUGH REMEDY.

"Mothers buy it for croupy children, railroadmen buy it for severe coughs and elderly people buy it for a gripe," say Moore Bros., Eldon, Iowa, U. S. A. "We sell more of Chamberlain's Cough Remedy than any other kind. It seems to have taken the lead over several other good brands." For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

CAPTAIN SANDERS'S AGED MOTHER DIES

Captain Sanders, pilot of Honolulu port, received news of his mother's death by the latest mail. The New Era of Norwich, Conn., of Friday, November 25, contains the following obituary of the venerable lady:

"Mrs. Ann W. Sanders, widow of the late Captain J. N. Sanders, died at her home yesterday morning aged 89 years, after an illness of several years. The deceased leaves two sons, C. C. Sanders of New York and M. N. Sanders of Honolulu, and one daughter, Mrs. F. A. Arnold of this place."

Port Townsend Notes.

Port Townsend, Nov. 18.—The schooner Alice Cooke, Capt. Penhallow, arrived in port today from Port Gamble to secure a crew for her voyage to Honolulu. She has a cargo of about 95,000 feet of lumber loaded from the Puget Mill Company.

Port Blakely, Nov. 18.—The American ship Arthur Sewall arrived this afternoon from Port Gamble to take on the balance of her cargo of lumber for Shanghai. The Sewall is one of the largest sailing vessels ever loaded at this port being 2515 tons register. She is commanded by Capt. B. Gaffry.

CROWING NOT OVER

Maui Republicans Still Celebrating—Mrs. Miner Dead.

MAUI, Dec. 10.—Maui and Molokai Republicans are still feeling most jubilant over the results of the recent campaign. Such a sweeping victory was unexpected, the most optimistic leaders prophesizing the election of all candidates excepting one Representative by small majorities, or the success of the entire ticket by a very narrow margin.

During Christmas week the Republicans of Molokai will celebrate their recent victory at the polls by grand luaus in the three precincts of Halawa, Pukoo and Kaunakakai. Representative-elect Moses Nakuina of Molokai has written inviting all the recently elected Maui legislators to be present at and to participate in this jubilation.

The celebration by the Kula Republicans of the 9th Maui precinct at Kealahou school premises last Saturday afternoon was a great success, being attended by two hundred and fifty people representing all political parties.

Senator-elect Sam'l E. Kalama and Representative-elect George Copp delivered interesting addresses. Messrs. Hayseiden, Pali, and Kalino were unable to be present on account of the kona gale that was prevailing all over the island.

All reports to the contrary Maui legislators will go to Honolulu unpledged in regard to the selection of speaker for House of Representatives. It is rumored that the speakership would not be unacceptable to Representative W. J. Coelho, but nothing definite concerning the matter has been announced.

OBITUARY.

Thursday morning, Mrs. George E. Miner, the wife of a well-known Makawao resident, died suddenly of heart disease. Mrs. Miner was about 53 years of age and was educated at Maunaloa Seminary. She leaves a husband and ten children—seven boys and three girls. The funeral, which took place Friday afternoon at the Miner residence in Makawao, was conducted by Rev. John Kaliko of Paia and Rev. Isaac D. Iaca of Haiku. There was a large attendance of relatives and friends at the ceremony.

NOTES.

The kona wind which had been blowing "off and on" for ten days on Maui was terminated on Tuesday by rain and fog from the north. In Hana the rainfall for Tuesday was 1-2 inches and in other places somewhat less.

Wednesday afternoon the Makawao Ladies' Aid Society held their annual election of officers at the residence of Mrs. D. C. Lindsay of Paia. The following were chosen: Mrs. W. O. Aiken, president; Mrs. H. A. Baldwin, vice-president; Mrs. W. F. McConkey, secretary; and Mrs. W. S. Nicoll, treasurer.

The oil vessel Argyle left Kahului on Wednesday. On the same day the steamer Kauai shipped some mules for Huelo plantation and departed from Kahului. Mr. and Mrs. W. A. Baldwin of Haiku are at Olinda House.

On Tuesday congratulations were due Mr. and Mrs. J. J. Hair of Hamakua upon the advent of a baby girl.

The Maui schools will close for the holidays on the 16th during which day Christmas tree exercises will be held at the four kindergartens, at Kaupakapa, Makawao and other places.

One of the complaints of the Maui small farmer is that in case he does make a success of any one industry the plantations are ready to take it up on a larger scale and crush him out by competition.

Rep. Coelho of Waialua is making a tour of the whole island learning the wishes of his constituents ahead of the next legislature.

Weather Pleasant all the week excepting Tuesday.

Crying for Help

Lots of it in Honolulu But Daily Growing Less.

Backache is one of the first indications of kidney trouble.

It is the kidneys' first cry for help. Heed it.

Doan's Backache Kidney Pills are what is wanted.

Are just what overworked kidneys need. They strengthen and invigorate the kidney, help them to do their work never fail to cure any case of kidney disease.

Read the proof from a Honolulu citizen.

Mr. Charles Comey, of Cyclomere street, this city, one of the many persons who have tried Doan's Backache Kidney Pills with great advantage, relates his experience thus: "I have been a back driver for a number of years past and this is an occupation in which, through exposure to weather and much jumping up and down from the vehicle, one is particularly liable to kidney complaint. I suffered myself from a lame back for a long while and in my anxiety to get rid of it tried several things which did not reach the root of my trouble. An advertisement acquainted me with what grand work Doan's Backache Kidney Pills were doing, and I got some of them at the Hollister Drug Co.'s store. I used them and with very much profit, for they relieved my back wonderfully."

Doan's Backache Kidney Pills are for sale by all dealers or sent by mail on receipt of price, 50 cents per box by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name Doan's and take no other.

PROGRESSIVE WAILUKANS

Improvement Association Holds a Meeting. Brevities.

WAILUKU, Dec. 10.—The Improvement Association held its monthly meeting Thursday evening, with D. H. Case in the chair and W. J. Coelho as secretary.

Chairman Coelho of the tree committee reported difficulty in roadside tree planting because of the fact that the lines of the roads are not definitely laid out.

There was a discussion of an army site, different ones having their special advocates.

It was reported that, if slight changes were made in the plans, the contract for building the jail and fire station, at \$3000, would be awarded.

Mr. Case was appointed a committee of one to see the Governor about Maui appropriations. Messrs. McKay, Coke and Ault, as an emergency committee, reported a resolution, which was adopted, urging upon the Executive the necessity of prompt action in the matter of the expenditure of appropriations, a copy of the resolution to be forwarded directly to Governor Carter.

A letter from President Pinkham of the Board of Health was read, which stated that there were no funds to pay a sanitary inspector and suggested that the Wailuku police look after the matter. George Wright had been appointed food inspector without salary, and W. G. Scott and S. B. Harry volunteered to act in the same capacity.

Complaint was discussed of the neglect of duties by road boards. Mr. Coelho reported a case where an old bridge was removed on the board's promise to meet at once and have a new bridge built. Three months had passed without the building of the bridge, and often the school teacher and some of the pupils have been unable, when high water prevailed, to reach the schoolhouse.

Mr. Coelho, as representative elect, invited the Association to prepare suggestions for legislation.

VARIOUS ITEMS.

The return Kona storm reached Maui on Monday night and it rained steadily for twenty-four hours.

The doctors report that the health of the Wailuku people is very unsatisfactory from the physician's standpoint.

Puunene Mill has already turned out about 20,000 sacks of sugar this season, and has hardly got under good headway yet.

The Chinese of Wailuku are erecting a large two-story building on Vineyard street, to be used as a Chinese joss house.

Sugar is being rapidly piled up in the Kahului warehouses awaiting shipment. Some 1600 tons have already been received and about 6000 tons will probably be received by the end of the month, when the first shipment of the season, some 5200 tons, will be made on the Nevada, which is scheduled to arrive early in January.

The pumping in plants on Spreckelsville are closed down for the present, due to the recent heavy rains.

The late rains will be very beneficial to the pasture lands of Kula and Makawao which until very recently have had scarcely any rain.

Sugar is piling up very rapidly at the different mills.

The typhoid patients from Maunaloa Seminary have quite recovered and most of them have returned home.

STRANGE FACTS ABOUT THE SPANISH WAR

The St. James's Gazette says "Last year we saw the remarkable spectacle of the Spanish nation suing a firm of Clyde ship-builders for having let them in for a war and incidentally causing them to lose 160,000 miles of territory and some ten million subjects. That, of course, was not the wording of the claim, but it came to that. Had they received in time the four torpedo-boat destroyers which they had ordered from the Clyde they would have been able to suppress the insurrection in Cuba, have prevented the landing of arms, and never have been brought into conflict with the United States. Spain claimed £75,000 and the Edinburgh Court of Session awarded her £67,500 and interest. But if Spain proved unready America was even worse. When the Maine went down she carried with her all America's supply of ammunition. There did not remain on board the American fleet or in the ordnance depots in the United States two rounds per gun. That was why negotiations were protracted. While the diplomats were talking peace men were working day and night in secret turning out munitions of war. When sufficient had been manufactured, a sealed express was sent across America, taking precedence of every other train. At San Francisco it transferred its load to a swift steamer, which hastened to Honolulu there to put its cargo aboard the Baltimore. The letter passed on to Hongkong and distributed its store. Admiral Dewey called on April 15th for Manila and in the bay on May Day that ammunition was turned to account in a manner with which all the world is familiar."

LAST JURY TRIAL ON Pleas Not Guilty In Several Cases.

At 3:35 yesterday afternoon the following names were impaneled as a jury to try Emmett May for embezzlement: R. W. Atkinson, Geo. Dillingham, A. Nelson, W. C. Wilder, Harry Carl, J. Andrade, J. A. Lawelaw, C. F. Merrifield, H. P. Dwyer, H. A. Parmelee, H. P. Kanohi and J. J. Dias.

Judge Robinson excused all other members of the special venire for the rest of the term and continued the trial until 8:30 this morning.

W. S. Fleming assists Attorney-General L. Andrews for the prosecution, and J. J. Duine appears for the defendant.

This will end criminal trials—indeed, all jury trials—for the present term.

ARRAIGNMENTS.

Judge Robinson opened court yesterday morning at 9 o'clock to hear pleas to indictments which had been reserved.

M. G. Silva, M. S. Freltas and Kaaluhua, separately indicted for selling liquor without a license, each pleaded not guilty.

C. F. Chillingworth, former deputy High Sheriff, and Ahoo, a Chinese livery stable owner, indicted for extortion in the second degree, each pleaded not guilty.

When the aged native Hawaiian, Kahilallau, was presented for murder Deputy Attorney General Peters stated that the defendant was without counsel or means to engage legal advice.

Judge Robinson called for a volunteer attorney to defend the accused, but there was no response. A. G. M. Robinson suggested that one of several former judges might properly be assigned as counsel for the defense.

Later he named Judges Perry, Galbraith, Cooper, Edgings and Judd. In the meantime Kahilallau said he did not desire counsel, but when informed that it was his right to be professionally defended without cost to himself he cheerfully submitted to the rule.

Judge Robinson suggested the name of Arthur M. Brown, former High Sheriff, who, coming in afterward, accepted the assignment. He had the plea of the defendant reserved until Wednesday.

BRENG WILL CONTESTED.

Probate of the will of the late Mrs. Kenahu Brenig, ordered yesterday by Judge De Bolt, is to be contested. Cecil Brown, petitioner, appeared in person and C. F. Peterson for contestants.

After the reading of papers and the calling of one witness for the proponent Mr. Peterson read the contest of Becky Kalua et al., as follows:

"Now comes Becky Kalua, William Hepeia and Kahulua, heirs and next of kin of Kenahu Brenig, deceased, by C. F. Peterson, their attorney, and enter their appearance herein and contest the probate of the alleged will of said Kenahu Brenig, filed for probate herein, on the ground that said document is not the will of said deceased, and that said deceased was not competent to make and execute a will."

Upon Mr. Brown's asking the grounds of the contest Mr. Peterson stated that he had no grounds to offer at that stage of the contest, but if it appeared that he should appeal he would do so, when he would file an affidavit stating the grounds for the jury.

There was argument then, but no ruling, and Mr. Brown offered the will in evidence.

The court admitted the will to probate and appointed Cecil Brown executor thereof under a bond of \$20,000. R. W. Shingle, Harry Armitage and P. D. Kellett Jr. were appointed appraisers of the estate.

Mr. Peterson gave notice of appeal from the order of the court to the jury of the next term of court.

Mr. Brown later filed his bond as executor with Mark P. Robinson as surety.

OTHER PROBATE CASES.

The will of Constant Sterling was admitted to probate by Judge Robinson, who appointed J. H. Craig executor under \$2500 bond. W. W. Harris, E. O. White and M. T. Simonton were appointed as appraisers of the estate.

A. F. Judd appeared for the petitioner Judge Robinson approved the accounts and ordered the discharge of the executors of the estate of the late Dr. Alex. Montague Atherton. D. H. Case for petitioners.

William W. Harris was appointed by Judge Robinson administrator of the estate of Fritz J. Wilhelm under bond of \$10,000. F. D. Wicke, H. Armitage and M. T. Simonton were appointed appraisers.

THE ORPHEUM FORECLOSURE.

In the suit of George Tournay vs. the Orpheum Company, Ltd., the defendant has entered a demurrer to the jurisdiction, submitting that there is no jurisdiction existing in a Circuit Judge at Chambers to hear all or any of the matters alleged in the complaint. It also filed a plea not waiving its demurrer, alleging that the plaintiff was not when the complaint was filed and is not now the real owner of the promissory note and mortgage set out in the bill, but was the assignee and trustee of the German Savings and Loan Society. The defendant submits

whether it ought to be obliged to make any other answer, to the complaint until the G. S. & L. S. shall be made a party, either plaintiff or defendant, to the action. C. W. Ashford is defendant's attorney.

COURT NOTES.

W. C. Aebi, counsel for defendant, moves for a jury trial of the trespass case of Lum Kin vs. Emma Keska-hiwa.

Plaintiff has filed a bill of exceptions in the suit of Middleitch, trustee, vs. Kawanakoa.

A penal summons has been issued to the Pacific Club, a corporation, charging it with selling liquor without a license.

George Paul Duncker, Germany, was naturalized by Federal Judge Dole yesterday.

Several customs appeals from decisions of the Board of General Appraisers at New York were continued until Feb. 13 in the Federal Court.

THE FARMERS-TALK SHOP.

(Continued from page 1.)

The area for development is stunted. The prices for corn are higher than for ten years and will probably remain so. What had the price of corn to do with the growing of cassava in Hawaii? If the corn price rose starch and glucose could not profitably be made from it.

Cassava then would be used. Cassava starch more nearly approached corn starch than any other. Cassava could be grown with little labor. There was plenty of soil, sunshine and air going to waste in Hawaii which could be well utilized for cassava growing.

C. Koelling, the Koolau "castor oil man," stated that he was already greatly interested in cassava growing, and that he was converting his castor oil plantation into a cassava plantation. He stated that whenever a Kona storm came his castor beans were nearly ruined and he was compelled to change to something else not so easily hurt by the elements. Nature seemed against castor bean development at Koolau.

From a very small piece of ground he had already taken 600 pounds of cassava roots. He first cleaned 100 pounds, washed and grated them and extracted 75 per cent of starch. Another lot gave 20 per cent out of a possible 26 per cent. A sample sent to Williams, Diamond & Co. brought back a very favorable report, comparing it to their commercial No. 2 quality. Mr. Koelling has now planted eight acres in cassava roots. The seed was brought from Rice's plantation on Kauai and cost him about \$30 an acre. Planting was done on August 23 last and the plants have grown to an average of about five feet.

Mr. Smith said the roots were excellent in their natural state for horses and cattle and were also good for milch cows. He thought the prepared product of the cassava would sell for about three cents a pound. He stated that Mr. Rice had 300 acres on Kauai planted in cassava for the feeding and fattening of his horses and cattle. Mr. Smith considered the Hawaiian variety of cassava as good as any he had ever heard of. It did not hurt water which had been used for cleaning it, hogs and cattle apparently enjoying water with the starchy taste to it. Mr. Crow said that the Tahitians were starting a movement to grow cassava on a large scale. Mr. Smith said Cassava would grow well at 1000 feet elevation.

ALEXANDER CROW TALKS.

Mr. Crow, being asked to address the meeting, spoke directly concerning the folly of people of Hawaii sending from \$40,000 to \$60,000 to the coast annually for oranges, lemons and limes. These could just as well be raised in the islands. But trees once started here must be cultivated and not left alone to grow and bear fruit. That was the secret of success in growing citrus fruits. Plant seeds of the Hawaiian oranges and thousands of trees would grow from them. Then cultivate them carefully.

Mr. Smith spoke of an orange grove at Lahaina which was flourishing and was profitable to the owner. There were clumps of trees also in Kona and Hamakua which were doing well.

JUDGE DOLE ON FRUIT.

Judge Dole spoke also of orange and other fruit trees. He had a small place in Pauoa in which orange trees were growing, and although neglected to some extent they were doing fairly well. He thought the King orange of California suitable for the islands. It was sweet and aromatic.

Secretary Higgins spoke encouragingly in the same matter. Several orange clumps he had seen in Kona were doing very well.

CULTIVATION OF BANANAS.

A paper on the cultivation of bananas, by Charles Fumeaux of Hilo, was read by the secretary. The paper had originally been read before the Hilo Agricultural Society. It contained valuable data on the varieties which do well in and about Hilo and gave minute directions as to their cultivation. Mr. Paty, of Hilo, was asked to speak concerning his knowledge of banana cultivation and said he both raised and shipped the fruit. Some of the shipments to California had been financial losses to him. He hoped to get forty cents a bunch in future. He has a hundred Cuban plants which do well. In fact, he spoke strongly in favor of the Lady Finger, Cuban and Chinese varieties. For shipping bananas leaves alone were not sufficient as wrappers and grasses should also be used.

AS TO COFFEE.

Mr. Terry, of Oahu, spoke of the coffee industry. He conceded with others that coffee raising in an about Oahu had been somewhat of a failure. He had been on Louisian's coffee plantation in Hamakua where 2,000 bags of coffee were the year's product, the largest crop in the islands to his knowledge. He was astounded to find in Waimea almost as fine looking coffee trees as on the Louisian Place. At the

(Continued on page 5.)

THE ORGANIZATION OF THE GOVERNMENT OF HAWAII

Rev. Hiram Bingham came to Honolulu in 1820. At that time the government was that of an absolute monarchy. All power was in the hands of the king but he consulted his chiefs frequently. There was an informal organization, if it might be described with such inaccurate phrase, called the Aha-Ahii. It was a gathering of the high chiefs and later became the foundation of the highest branch of the Legislature known as "The House of Nobles." These chiefs expressed their opinion to the king, sometimes persuading him to remarkable changes—as in the abolition of the onerous system of the tabu—which came from the action of the high chiefs, if not from a formal decision reached in a deliberative assembly.

It is remarkable that within about twenty years after the commencement of Mr. Bingham's labors, there was as complete and as absolute a change in the form of government as followed the war of the Revolution in America which resulted in a "United States" with an inspired Declaration of Independence and Constitution.

In the Hawaiian Islands this change was brought about by instruction in the Science of Government, based chiefly upon the missionary influence of the twenty years preceding. As the principles of Christianity were absorbed by the Hawaiian king and chiefs they desired to understand the laws of the nations which had been developed under those principles.

William Richards, a teacher in the school of Lahalaia, had developed marked ability in imparting knowledge of law to his pupils. After the king had applied to the United States Government for an instructor in the Science of Government and had been "put off" for a long time, Mr. Richards was set apart by the Mission of Hawaii, as the instructor of the king and chiefs. He severed his connection with the mission and entered upon his task with great enthusiasm and wisdom. In less than two years the result was seen in the following remarkable "Declaration of Rights" and "Constitution"—which once issued could never be revoked.

It should be said that it is exceedingly difficult for the stranger or the native residing today in these islands, to even begin to understand the vast amount of material benefit and power in the accession to citizenship brought about at this time practically by the missionaries in behalf of the common people.

This was well illustrated by the words of Kamehameha III concerning his pew in Kawaiahao church when that fine historic building was completed a little over sixty years ago. The king's pew was located on the left hand of the minister as he faced the congregation. A gallery was overhead. No man could sit above the king, no shadow of a common man could fall upon his sacred form. Some of the chiefs declared at once that the gallery must be tabu. But the king said in substance that he did not care who was above him, provided, he had plenty of fresh air from the windows around him, and the gallery did not fall upon him. Twenty-five years before such judgment would have been impossible. The rights of the common people had been recognized.

The Declaration of Rights and Constitution were given freely by the king and his chiefs who later felt very much aggrieved because the people certainly did not appreciate the sacrifice, and instead of gratitude manifested a complaining spirit against the burdens of government they were still compelled to bear. It would be an interesting psychological study to analyze this feeling of the people to ascertain how much was due to an instinctive or inborn demand for the natural rights of man, and how much was due to inborn and cultivated laziness. Nevertheless the fact remains that King Kamehameha III did not like the way the natives responded to the use of the privileges granted by this Declaration and Constitution. The Paradise of the Pacific for December, 1904, will call more particular attention to the lesson which the king tried to teach the people at that time. Through the kindness of Mrs. Mary Hitchcock of Hilo we are permitted to give the "Declaration of Rights" and the First Constitution in full from a rare volume in which they were first published in 1824.

"DECLARATION OF THE RIGHTS OF THE CHIEFS AND PEOPLE OF THE HAWAIIAN ISLANDS."

"God hath made of one blood all nations of men to dwell on the face of the earth in unity and blessedness. God hath also bestowed certain rights alike on all men and on all chiefs and on all people of all lands.

"These are some of the rights which he has given alike to every man and every chief of correct deportment: life, limb, liberty, freedom from oppression, the earnings of his hands, and the production of his mind, not however to those who act in violation of the laws.

"God hath also established governments and laws for the purpose of peace; but in making laws for the nations, it is by no means proper to enact laws for the protection of the rulers only, without also providing protection for their subjects; neither is it proper to enact laws to enrich the chiefs only, without regard to enriching their subjects also; and hereafter there shall by no means be any laws enacted, which are at variance with what is above expressed, neither shall any tax be assessed, nor any service or labor required of any man, in a manner which is at variance with the above sentiments.

"The above sentiments are hereby published for the purpose of protecting alike both the people and the chiefs of all these islands while they maintain

a correct deportment, that no chief may be able to oppress any subject, but that chiefs and people may enjoy the same protection under one and the same law. Protection is hereby secured to the persons of all the people together with their lands, their building lots and all their property while they conform to the laws of the kingdom. And nothing whatever shall be taken from any individual except by express provision of the laws. Whatever chief shall act perseveringly in violation of this constitution shall no longer remain a chief of the Hawaiian Islands, and the same shall be true of the governors, officers, and all land agents.

"But if any one who is deposed should change his course, and regulate his conduct by law, it shall then be in the power of the chiefs to reinstate him in the place he occupied previous to his being deposed."

This Declaration received the signature of Kamehameha III June 7, 1839. The Constitution which follows was proclaimed in October, 1840, and both were published together as one document.

CONSTITUTION OF THE HAWAIIAN ISLANDS.

"It is our design to regulate our kingdom according to the above principles and thus seek the greatest prosperity both of all the chiefs and all the people of these Hawaiian Islands. But we are aware that we cannot ourselves alone accomplish such an object. God must be our aid for it is His province alone to give perfect protection and prosperity. Wherefore we first present our supplication to Him, that He will guide us to right measures and sustain us in our work."

It is therefore our fixed decree,

1. That no law shall be enacted which is at variance with the word of the Lord Jehovah, or at variance with the general spirit of His word. All laws of the islands shall be in consistency with the general spirit of God's law.

2. All men of every religion shall be protected in worshipping Jehovah and serving Him, according to their own understanding, but no man shall ever be punished for neglect of God unless he injures his neighbor or bring evil on the kingdom.

3. The law shall give redress to every man who is injured by another without a fault of his own, and shall protect all men while they conduct properly, and shall punish all men who commit crimes against the kingdom or against individuals, and no unequal law shall be passed for the benefit of one to the injury of another.

4. No man shall be punished unless his crime be first made manifest neither shall he be punished unless he be first brought to trial in the presence of his accusers and they have met face to face and the trial having been conducted according to law and the crime made manifest; in this presence then punishment may be inflicted.

5. No man or chief shall be permitted to sit as judge or act on a jury to try his particular friend (or enemy) or one who is especially connected with him. Wherefore if any man be condemned or acquitted, and it shall afterwards be made to appear that some one who tried him acted with partiality for the purpose of favoring his friend (or injuring his enemy) or for the purpose of enriching himself then there shall be a new trial allowed before those who are impartial.

EXPOSITION OF THE PRINCIPLES ON WHICH THE PRESENT DYNASTY IS FOUNDED.

The origin of the present government and system of polity is as follows: Kamehameha I was the founder of the kingdom and to him belonged all the land from one end of the islands to the other though it was not his own private property. It belonged to the chiefs and people in common of whom Kamehameha I was the head and had the management of the landed property. Wherefore there was not formerly, and is not now any person who could or can convey away the smallest portion of land without the consent of the one who had or has the direction of the kingdom.

These are the persons who have had the direction of it from that time down: Kamehameha I, Kaahumanu I and at the present time Kamehameha.

These persons have had the direction of the kingdom down to the present time, and all documents written by them, and no others are the documents of the kingdom.

The kingdom is permanently confirmed to Kamehameha III and his heirs, and his heir shall be the person whom he and the chiefs shall appoint during his life time, but should there be no appointment the decision shall rest with the chiefs and House of Representatives.

PREROGATIVES OF THE KING.

The prerogatives of the king are as follows:

He is the sovereign of all the people and all the chiefs. The kingdom is his. He shall have the direction of the army and all the implements of war of the kingdom. He also shall have the direction of the government property, the poll tax, the land tax, the three days monthly labor, though in conformity to the laws. He shall also retain his own private lands, and lands forfeited for the non-payment of taxes shall revert to him.

He shall be the judge of the Supreme Court and it shall be his duty to execute the laws of the land.

Also all decrees and treaties with other countries all however in accordance with the laws.

It shall be his prerogative to form treaties with the rulers of all other

kingdoms, also to receive ministers sent by other countries, and he shall have power to confirm agreements with them.

He shall have power to make war in time of emergency, when the chiefs cannot be assembled, and he shall be the Commander in Chief. He shall also have power to transact all important business of the kingdom, which is not by law assigned to others.

RESPECTING THE PREMIER OF THE KINGDOM.

It shall be the duty of the king to appoint some chief of rank and ability to be his particular minister whose title shall be "The Premier of the Kingdom." His office and business shall be the same as that of Kaahumanu I and Kaahumanu II. For even in the time of Kamehameha I. life and death, condemnation and acquittal were in the hands of Kaahumanu. When Kamehameha I. died, his will was "The Kingdom is Liholih's and Kaahumanu is his Minister." That important feature of government originated by Kamehameha I. shall be perpetuated in these Hawaiian Islands, but shall always be in subservience to the law.

The following are the duties of the Premier: All business connected with the interests of the kingdom, which the King wishes to transact, shall be done by the Premier under the authority of the King. All documents and business of the kingdom executed by the Premier shall be considered as executed by the King's authority. All Government property shall be reported to him (or her) and he (or she) shall make it over to the King.

The Premier shall be the King's special counselor in the great business of the kingdom.

The King shall not act without the knowledge of the Premier nor shall the Premier act without the knowledge of the King, and the veto of the King on the acts of the Premier shall arrest the business. All important business of the kingdom which the King chooses to transact in person he may do it, but not without the approbation of the Premier.

GOVERNORS.

There shall be four governors over these Hawaiian Islands—one for Hawaii, one for Maui and the islands adjacent, one for Oahu and one for Kauai, and the adjacent islands. All the governors from Hawaii to Kauai shall be subject to the King.

The prerogatives of the governors and their duties shall be as follows. Each governor shall have the general direction of the several tax gatherers of his island and shall support them in the execution of all their orders which he considers have been properly given, but shall pursue a course according to law and not according to his own private views. He also shall preside over all the judges of his island and shall see their sentences executed as above. He shall also appoint the judges and give them their certificates of office.

All the governors from Hawaii to Kauai shall be subject not only to the King but also to the Premier.

The governor shall be the superior over his particular island or islands. He shall have charge of the munitions of war. Under the direction of the King, however, and the Premier. He shall have charge of the forts, the soldiery, the arms and all the implements of war. He shall receive the Government dues and shall deliver over the same to the Premier.

All important decisions rest with him in times of emergency unless the King or Premier be present. He shall have charge of all the King's business on the island, the taxation, new improvements to be extended and plans for the increase of wealth, and all officers shall be subject to him. He shall also have power to decide all questions and transact all island business which is not by law assigned to others.

HOUSE OF NOBLES.

At the present period these are the persons who shall sit in the government councils—Kamehameha III, Kekaula-ohi, Hoapiliwahine, Kuakini, Kekaula-ohi, Kahakili, Paki, Konia, Keohalo, Lelelohoku, Kekuanooa, Keli-ahonui, Kanaina, Keoni II, Keoni Ana, and Haalilio—sixteen chiefs. Should any other person be received into the council, it shall be made known by law. These persons shall have part in the councils of the kingdom. No law of the nation shall be passed without their consent. They shall act in the following manner. They shall assemble annually for the purpose of seeking the welfare of the nation, and establishing laws for the kingdom. Their meeting shall commence in April, at such day and place as the king shall appoint.

It shall also be proper for the king to consult the above persons respecting all the great concerns of the kingdom, in order to promote unanimity and secure the greatest good. They shall moreover transact such other business as the king shall commit to them.

They shall retain their own appropriate lands, whether districts, or plantations, or whatever divisions they may be, and they may conduct the business on said lands at their discretion, but not at variance with the laws of the kingdom.

RESPECTING THE REPRESENTATIVE BODY.

There shall be annually chosen certain persons to sit in council with the nobles and establish laws for the nation. They shall be chosen according to their wish, from Hawaii, Maui, Oahu and Kauai. The law shall decide the form of choosing them and also the number to be chosen. This representative body shall have a voice in the business of the kingdom. No law shall be passed without the approbation of the majority of them.

RESPECTING THE MEETING OF THE LEGISLATIVE BODY.

There shall be an annual meeting as stated above, but if the rulers think it desirable to meet again they may do it at their discretion. When they assemble the nobles shall meet by themselves and the representative body by itself, though at such time as they shall think it necessary to consult together they may unite at their discretion.

(Continued on page 8.)

WARNING TO JAPANESE

Consul Saito Does Not Want Neutrality of Islands Violated.

Apologies of the reports that have recently come down from Kauai of the drilling of Japanese reserve troops with arms at Lihue, the Japanese Consul, Miki Saito, has addressed the following letter to his compatriots in the islands:

To the Japanese Residents in Hawaii: Information has reached me lately that certain Japanese laborers in Lihue, Kauai, have gathered together for the purpose of military drill, and the Honolulu papers have commented upon the supposed facts, saying that, if true, it might raise the question as to the preservation of neutrality in the islands.

Although I am inclined to believe that the reported gathering of the Japanese in Lihue is nothing more than for the simple purpose of common boyish pleasure after their day's work, and I do not believe that there still remain, any number of reservists of the Japanese army about to be ordered to their colors, yet I think the following notice may serve to call your attention to the fact that our subjects in the islands should always remain quiet, and at any rate we ought not to create any apparent disturbance that could be commented upon during our sojourn in a neutral state.

As you all know, the mother country, Japan, is now engaged in a life-and-death struggle with one of the greatest European Powers, and as we all believe in a most just and righteous cause, it is the desire of the Home Government that all Japanese, especially those Japanese living in a foreign, neutral and friendly state, so to act that neither by word nor by deed as to excite any comment injurious to the sympathy we have in many neutral countries, and more especially in the United States.

I hereby request, with all the earnestness in my power, that the Japanese in this country may be orderly and quiet in all things. It is especially desirable at this time that laborers on the plantations should be reasonable, diligent and obedient to the proper authorities, and in no case to strike or be disorderly in any sense.

I would especially call to mind that the generous people of Hawaii have largely contributed to the funds of the Red Cross Society of Japan, which does so noble and charitable work to the suffering soldiers of Japan and to others in need.

Again I must impress upon you and upon your patriotism and love for your native country so to act that you will be an honor and not a disgrace to Japan.

Issued this twelfth day of December, nineteen hundred and four, by

MIKI SAITO,

H I Japanese Majesty's Consul General.

Following the Advertiser's publication of the story from Kauai, Assistant Attorney-General Fleming yesterday gave Governor Carter the gist of the neutrality laws of the United States as bearing upon the matter. The laws, in effect, are, of course, precisely as they were quoted in the article in the Advertiser.

It is not probable that any action will be taken, at least until there has been a thorough investigation by the Territorial authorities. And even if investigation should disclose a breach of neutrality, which is by no means certain from the reading of the law it is doubtful whether it would be up to the Territorial authorities to act. It may be a matter for the Federal people and it may be that no action should be taken by anybody until complaint is made on behalf of Russia. Sheriff Coney of Kauai, however will get all the facts.

GOING TO BIG ISLAND ON TOUR OF INSPECTION

One of the passengers who will leave on the Kinau today will be Assistant Superintendent of Public Works Howland.

"Mr. Howland will be a passenger for Hilo," said Superintendent of Public Works Holloway yesterday. "He goes for the regular official tour of the island of Hawaii to examine the roads and bridges, look at the works of public character in progress and get a general idea of the needs and conditions there. He will stay over one boat, returning here on the 24th. We generally aim to get over the islands on these tours of inspection every three or four weeks. That keeps the office in touch with the work done—and needed."

SPRAINED ANKLE, STIFF NECK, LAME SHOULDER.

These are three common ailments for which Chamberlain's Pain Balm is especially valuable. If promptly applied it will save you time, money and suffering when troubled with any one of these ailments. For sale by all Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

WORKS HARM TO HAWAII

Some Knocking Newspaper Faker Fools the New York Herald.

For some little time past the New York Herald has been gullied systematically by some weird fakir in Honolulu, who has been pulling a pretty big space bill by making a monkey of the great American newspaper. So long, however, as this was confined to silly rot like the red shrimp rain story from Hilo or the tale of the shark that towed the steamer, or even that romance of the flying fishes that soared up from the vasty deep and milked the cows along the Kona coast there was no particular harm done.

Of course, nobody cared how much of a pale gray ass the news editor of the New York Herald was—and certainly there was no objection to a needy newspaper faker eking out his salary by ingenious lying. There have been men who have even gained a kind of fame that way, their lies acquiring a savor of respectability from their improbability. A pretty lie may be a work of art and admirable because of that. So long, of course, as everybody recognizes that it is a lie.

When this newspaper faker becomes malicious, however, and lies to the hurt of the community that helps the Herald to give him board and clothes then it comes time to call a halt. It is such publications as the following in the New York Herald, allowed to go without contradiction, that hurt not only those people at whom they are clearly aimed but likewise those people whom the wretch who writes this kind of drivel pretends to be desirous of helping. How much is the respect in which the native Hawaiian is held on the mainland elevated by means of such publication as this? Here, that the measure of the offending may be judged, is the malicious effusion of the Honolulu correspondent of the Herald:

HONOLULU, T. H., Nov. 15.—The election in the Hawaiian Islands last week was attended by precisely the same result that marked the election on the mainland. A complete landslide swept the republican party into control, and made that organization absolute master of these islands for the next two years.

The victory was the most complete, as it was the most surprising, that has ever been known since the islands became American territory. In its general aspects the local campaign was analogous to the larger battle on the mainland, but there were details of the local fight that differed materially from the causes that led to the national republican victory.

Three tickets—the republican, democratic and home rule—were in the field. The republicans were in complete control of the government machinery, and had, in consequence, a strong organization. The democratic party, for the first time in four years had a ticket in the field, and the fight was clearly between those parties. In the opinion of many well informed politicians, and, in fact, the community generally, the home rule party had been induced by republicans to enter as a stalking horse in the hopes that it would keep votes from the democratic party.

The issues of the campaign were upon the methods pursued by George R. Carter as Governor. The issue was keenly appreciated by the natives and white people as well. The chances of democratic success grew stronger as the election approached. The few who did not concede probable democratic victory were some republican leaders. The work of winning the election began the night before November 8, although the democrats did not learn of the danger until the following day.

On Monday night word was passed out that it would be useless for any native to scratch the republican ticket, as the republican managers had arranged a scheme whereby they would know exactly how every man had voted. Such knowledge was precisely what the natives did not care to have divulged, and the fear that it would be caused the utmost consternation among them. The precise manner in which this information was to be gained, and the supposed secrecy of the Australian ballot system in vogue in this Territory to be violated were not explained, but the method became apparent the minute the polls opened on the following day.

For months, largely in anticipation of the approaching election, the republican managers and administration had been employing voters on various public works. These have been very hard with the natives, and the prospect of gaining republican disfavor by voting another ticket, and in consequence losing employment, caused hundreds of natives to think twice and finally submit to the threatened coercion. They realized that discovery meant dismissal.

When the ballots were opened for the voting on Tuesday morning the explanation for the coercion on the part of some leaders of the republican party became apparent. The stubs to which the ballots were originally attached, being numbered consecutively, and in addition to this number, on the upper right hand corner of every ballot was a corresponding number. Naturally, as the ballots were handed out to the various persons in the booths, records in relation were kept. The voters noticed the unusual numbers on the ballots and when it was seen in many precincts that these numbers were not being torn off, but the ballots, numbers and all, were being deposited in the boxes, the scheme became apparent. The means of keeping

track of every ballot and ascertaining exactly how every man voted was clear.

The instant that the democratic leaders saw the work that was being done, they realized that defeat stared them in the face, but in hope of saving the day protests against the ballots being deposited in the boxes with the numbers on them were made. But the protests were ignored.

The "mistake," as it has been called, was not persisted in by the inspectors at polling places where the white vote predominated, and there was little danger of votes being cast against the administration. At some of the voting places a few ballots with the numbers were deposited in the boxes, but protests by the democrats generally resulted in the numbers being removed. But not so in the outer districts, where the native vote was the heaviest and the republican ticket was beyond any question the weakest. Protests in those precincts were of no avail, and the ballots were deposited in the boxes, numbers attached. In the strongest democratic precinct no less than 210 of these ballots were put into the box before orders to stop the work were received, and in another precinct eighty-two were deposited, while in the precinct where the strongest native on the ticket resided no less than sixty-two ballots with the numbers attached got into the ballot box.

Another means of forcing the natives to vote the republican ticket was to give each man a sample ballot and have him put this ballot under the regular one so that the impression of the marks he had put upon the official ballot would show on the sample and prove to the republican "heeler" outside of the booth that "the goods" had been delivered.

Nobody has as yet been found to publicly admit responsibility for the way in which the number on the ballot was used as a means of getting votes for republican candidates.

This publication, in an obscure mainland newspaper might work great harm to the Territory and its people, to say nothing of Governor Carter. Printed in a paper so widely read and copied as the New York Herald its power for evil is simply incalculable. And it is so utterly and palpably false in all its statements. Everybody, even the fatuous idiot who wrote it for the few dollars he was paid by the Herald, knows that. The idiot who wrote it must have known it was false when he was writing it.

It is clearly another case of an enemy to the community cherished in its midst. Honolulu has suffered from this kind of thing before.

COMPROMISING WITH THE WAIALUA STRIKERS

The strike of Japanese at Waialua plantation has not yet been settled, but the manager of the plantation is in conference with a committee of thirty-four delegates from the striking body and it looks as though a settlement would be reached some time today, or by Monday at the latest.

There are one thousand of the Japs on strike, and they have gone into camp on the beach in front of the plantation. They are not inclined to be at all warlike, since the trouble of Thursday night at the pumping station. These strikers have appointed a committee of thirty-four to handle their side of the strike, and this committee on Friday night presented Manager Goodale with a schedule of grievances containing thirty-two specifications. Of these twenty-four have already been adjusted satisfactorily to all parties.

The remaining eight points are still under discussion, and it is expected that an amicable agreement will be reached. The plantation management is inclined to treat the Japanese as fairly as is consistent with the preservation of the interests of the stockholders in the corporation.

L. L. McCandless states that stockholders of Waialua Plantation since 1899 have put in \$450,000 and their investment to-day is worth only 60 percent. They have never received a cent of dividends, but in spite of this the Japanese laborers there are demanding higher wages because the price of sugar has gone up. They claim they are not paid enough and the plantation is making too much money and should pass it out among the laborers. Mr. McCandless believes the only reasonable thing that should be done is to turn the whole plantation over to the Japanese. The stockholders are not to be considered.

Postal Accounts.

The annual report of the auditor for the postal department shows that the fiscal business transacted through the postal and money order branches of the department during the last year were: Revenues of the postal service, \$143,562.64; expenditures, \$152,362.11; Total amount of money orders issued, Domestic, \$384,432.22; foreign, \$31,676.26; Total amount of money orders paid, Domestic, \$345,190.00; foreign, \$6,714.84.

The deficit in the postal revenues, therefore, was \$187,930. Among the items of expenditure during the year were the following: Wagon service, \$1,070.674; inland mail transportation, railroad, \$28,595.42; railway post-office car service, \$2,261.54; railway mail service, \$12,194.12; transportation of foreign mails, \$1,573.44.

Grinnwood to Coast.

F. W. Grinnwood for many years the local representative of the branch office of the B. & O. Iron Works of San Francisco, reported yesterday on the trip to the coast, where he will remain permanently. The branch office in Honolulu has been closed and hereafter there will be only an agency here. Mr. Grinnwood will handle the Honolulu business in San Francisco.

STREETS SEE DESERT TRIBE ON PILGRIMAGE

Novices Dragged Over the Hot Sands and Afterward Fed at the Oasis By Their Captors.

(From Sunday's Advertiser)

Fez wearers owned the town yesterday afternoon and night and for the time being the scimitar and crescent held sway over all other emblems. The spectacle both on the streets and at the banquet was truly Oriental in the splendor of the costumes of the Illustrious Potentate and his brilliant retinue and guards.

Sandwiched in between what the public saw was the initiation of the novices who were told to "Hold on to the Rope," which they did until in sheer exhaustion they were compelled to drop it. All that took place in the temple of mysteries, where the torturers and inquisitors were supreme may never be told. What can be said, however, is that the novices had the time of their lives.

THE AFTERNOON PARADE.

A big policeman stood on guard at the foot of the stairway leading to the Holy of Holies in the Progress Block. The officer was there to keep Kilauea from gaining access to the mysterious realm of the Shriner Potentate and his brilliant retinue, and incidentally to prevent the "Hold on to the Rope" victims from peeking in on the instruments of torture.

In a large room near the torture-chamber was a huge Manila cable—the "rope," symbol of what is to come at a Shriner initiation. The first of the nineteen novices to show up looked surprised when he saw the empty room and for a moment hesitated whether to beat a retreat or not, but gave up the project when his way to freedom was barred by Brother Bath in his flowing Arabian robes. Then another came and peeked around the door, and gave a hysterical greeting to his fellow victim. When the nineteen were brought together they held a high jinks of their own. Frank Thompson danced a hoe-down, Richardson played fireman with the cable, Dr. Hodgins snuggled between McStocker and Holloway to escape observation and jokes flew thick and fast. Anybody with half an eye could see it was artificial fun and that all were trembling in their shoes. And, by the way, "Post-office" Brown had two pairs of socks on with an asbestos lining between McStocker and Holloway, being the biggest men, made a secret compact to stand together through thick and thin. Senator Woods of Hawaii knew that things were coming to him for having the audacity to stay in the legislature as the one lone Democrat.

High Sheriff William Henry was given a surprise. While inspecting a pair of handcuffs which a Shriner was exhibiting they were clapped suddenly about his wrists and in this wise he marched through the streets.

The crowd on the streets had plenty of amusement before the procession was formed. The camel imported for this occasion only, loomed majestically at the rear of the band in caparisons of green. It was a mule—and her name was Maud—and the biggest mule in the stables of Lord & Beiser. A Chinese hat covered the beast's head and it certainly made a remarkable appearance. A donkey, gaily caparisoned, and a wee goat made up the menagerie.

With two mounted patrolmen at the head, the procession went through the principal streets of the city, the sidewalks lined with hundreds of curious spectators. The march was from the Progress Block down Fort to King, along King to the Capitol Building where photographs of the paraders were taken, thence down Hotel street to the Masonic Temple on Alakea street, up Alakea to Beretania and thence to the Progress Block, where soon the shrieks of the tortured were heard on the streets.

Following the patrolmen came the Hawaiian Government band under Captain Barker. Illustrious Potentate, Dr. M. E. Grossman, in the beautiful robes of his office, a shimmering mass of silks and various hues, liberally sprinkled with jewels; all the officers of the divan, following, were in their unique robes of office and made a gaudy spectacle. Behind Dr. Grossman came C. L. Crabbe, Chief Rabbi; C. R. Cooper, Assistant Rabbi; M. Phillips, High Priest; E. C. Brown, Oriental Guide; H. E. Webster, Treasurer; H. C. Morton, Recorder; C. S. Hall, First Ceremonial Master; E. R. Rath, Second Ceremonial Master; B. Griggs, Holt, Director; J. W. Bergstrom, Marshal; E. O. White, Captain of Guard; C. G. Rourke, H. C. Pfleger, Alchemists; W. E. Taylor, M. D.; C. R. Wood, M. D., Medical Director; W. G. Ashley, Musical Director; R. W. Breckons, Orator and Inquisitor.

The Arab Patrol in desert costume, each man carrying a spear came next under E. O. White, captain of the guard. The Shriner came next, each man in full evening dress and a red fez on his head.

Then came the victims holding on to the rope under the watchful eye of C. R. Tucker, keeper of the camels and goats. They were not handsomely dressed, each man having taken a fancy suddenly to his old clothes. They wore a monkey cap. Dragging the cable were High Sheriff William Henry, ex-husband, Frank B. McStocker, Edgar Marion Brown, C. S. Holloway, Superintendent of Public Works, Senator Palmer Woods, Frank Woods, Dr. A. G. Hodgins, J. H. Craig, Frank E.

Thompson, on his back a giant fire-cracker and the following sign: "Where do I get off at when this rocket goes off?" E. I. Spalding, J. S. McCandless, H. Wingate Lake, Mark Robinson, D. L. Austin, J. A. Wilson and Alexander Garvie. There were four more but they were assigned to a different task. Frank Richardson was compelled to mount the mule-camel and E. I. Spalding was given the halter to lead the beast; C. G. Bartlett rode the donkey, and Arthur Mackintosh was given the goat to lead. He carried the animal most of the way.

THE TORTURE CHAMBER.

When the initiation was begun there was a silence deep as the grave fell over the assemblage. Lights were turned low, incense burned and a dirge was played and the fun began. The toboggan had been well oiled and the novices were given a bump.

The planks studded with sharp nails were tried on candidates' feet and a red trail was left on the floor when their owners walked off. The electrically-heated irons proved warm enough even for asbestos-lined socks. The man who plunged into a big tub when requested, and did so because he believed there was no water in it, was dragged out half dead. Then there was the trolley where many candidates gave an exhibition of the famous "Slide for Life" hanging on by their teeth to a strap suspended from a pulley. After the goat had fallen in a heap after having butted nineteen green novices, it was thought that plates at the banquet for the victims would have to be placed on mantels. The torture chamber was alive with noise for four hours.

Afterwards every man of the nineteen went to the Young Hotel and hired a room. Each man did this on the spot. The clerk was asked if anybody else had taken a room, and finally every man knew his fellow victim was lodged in the big hostelry, where he could retire to peaceful slumber after the banquet and trying events of the day.

THE ORIENTAL BANQUET.

At 9:30 last night the Shriners, old and new, were marshalled before the zem-zem board where the faintest of foods from desert and sea were placed before the tired and thirsty members of the caravan. The banquet was spread in the Alexander Young Hotel under the direction of novice H. Wingate Lake, the manager. The tables were arranged in the form of a T. Along the centers of each were rows of red carnations garnished with maiden hair ferns. Red lilies and red shaded candelabra completed the color scheme. Festooned through the chandeliers was a long hemp rope, the ends caught with red ribbons, and from the chandeliers to the walls were hung ropes of malle. Before the seat of the Illustrious Potentate was a space of sand on which was a grass hut surmounted by the Shriner flag, with two camels tethered nearby. Around each plate was a piece of rope with the ends tied in red ribbons, each Shriner wearing the piece about his neck during the feast. The banquet hall was shut off from general view by a painted scene representing an Egyptian Temple. On the walls inside were colored cartoons of various novices, among whom were Richardson seated on a cake of ice; McStocker stooping to catch the impact of a brickbat labelled "Olaa," Supt. Holloway barefooted stepping over broken bottles, cactus plants and nails in Honolulu's streets; High Sheriff Henry waking up in bed "the next morning" with a big head and finding all cafes, etc., closed on Sunday; Thompson hitting the toboggan, and a handsome picture of Dr. Grossman with diamond rings on his toes.

Noble R. W. Breckons, the toast-master, occupied a seat of honor next the Illustrious Potentate. His introductions of the speakers were marvels of rhetoric. He also presented on behalf of Aloha Temple, a beautiful jewel to Dr. Grossman. The following toasts were responded to: "The Imperial Council," Illustrious Potentate M. E. Grossman; "Visiting Members," Hon. C. A. Galbraith, India Temple, Oklahoma City; "Our Officers Elect," Noble C. B. Cooper, Chief Rabbi; "Soll vs. Sand," Past Illustrious Potentate B. Griggs, Holt; "The Traditional Banquet," Past Illustrious Potentate C. B. Wood; "The Novice," (One of them) F. E. Thompson.

Over the entrance to the Young blazed all evening in colored electric globes a scimitar and crescent. Ellis' quietest song throughout the evening. This is what they ate:

MENU.

Pommes Cocktail
California Oyster Cocktail
Consomme a la Royal
Sautéed Almonds
Celery sticks
Ripe Olives
Riesling
Fried Fillet of Mullet, Tartar Sauce
Pommes Julienne
Sweetbread a la Poulette
Cheese Straws
A. Y. H. Claret
Fillet of Beef a la Columbus
Butter Creme d' Menthe
Mumm Champagne
Squab Chicken Casserole
Pommes Duchesse
Walnut Salad
Tutti Fruiti Ice Cream
Roquefort Cheese
Chateau Yellow
Banquet Rolls

HATTER HAS GONE HOME

He Will Come Back Again After Xmas Holidays.

Hatter has gone. But stay! Hush! Hatter will come back again.

Charles Hatter, Pinkerton detective, first dawned upon the town of Honolulu when it became noised about the streets on the 21st day of October last that High Sheriff Brown had resigned his office as a result of the investigation into police affairs conducted by a Pinkerton detective imported by Governor Carter, and that Deputy High Sheriff Chillingworth had followed in the steps of his superior in office. It was stated at the time, most distinctly, that there were no charges of wrongdoing against Brown. Hatter's investigation had shown that the affairs of the police department were "loosely conducted," and the High Sheriff stepped out.

The sun of Hatter has been sailing pretty high in the blue sky ever since. No charges have developed against Brown, but Chillingworth has been indicted three times by the Territorial grand jury, and there are three indictments against ex-detective McDuffie, also of the old regime, as well as some against the Chinese detective, Ah On.

But Hatter! There are various tales told about Hatter. It has been said that he was a good fellow with the good fellows of the old police, that he drank with the drinkers, Sunday or high day or holiday, gambled with the gamblers, and did all the things that a good fellow does. He was reputed to have as many disguises as Old Sleuth himself, and you had but to mention his name in any company, of policemen, to bring a deep hush that would make itself heard, almost.

Nobody spoke, for fear of Hatter—and Hatter spoke less than anybody. He would not even tell his birthplace, nor where he came from, nor where he had worked before, and you could not tell his age from his teeth. They were gold, and might have been any age.

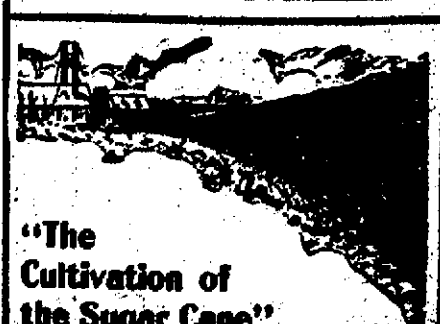
Now, he is gone—but he will return. He sailed away on the Mongolia. It is said that he has detected that he is the possessor of certain family affections, and that he goes to spend Christmas with his own people. Fancy a family of Hatters! But Hatter doesn't say what he is going for. Hatter doesn't say anything.

And he will come back. He didn't say that either, but all the same, he will. When? Ah, that is the point. When will Hatter come back? The man who can answer that question will relieve a great and devouring suspense sitting now in the breasts of several people. He will come back. That is all anybody knows—but Hatter. But any passenger bound this way, with gold teeth, will be subject to grave suspicion from this time forward. It may be Hatter in a new disguise, whatever the improbabilities. Let the quarantine officers look to it.

CONFIDENCE

said Lord Chatham, "is a plant of slow growth." People believe in things that they see, and in a broad sense they are right. What is sometimes called blind faith is not faith at all. There must be reason and fact to form a foundation for trust. In regard to a medicine or remedy, for example, people ask, "Has it cured others? Have cases like mine been relieved by it? Is it in harmony with the truths of modern science, and has it a record above suspicion? If so, it is worthy of confidence; and if I am ever attacked by any of the maladies for which it is commended I shall resort to it in full belief in its power to help me." On these lines

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F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

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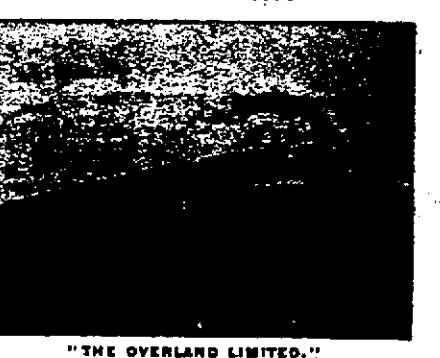
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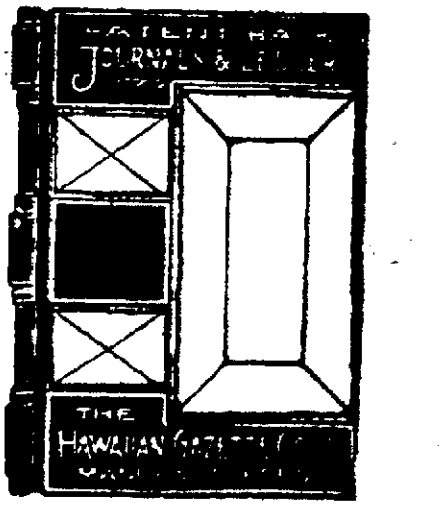
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REAL ESTATE TRANSACTIONS.

Entered for Record Dec. 3, 1904.
Rebecca Houghtaling to Mrs Emily
Benrose M
Kahuna Lansing and hab to F A
Schaefer. D
Wong Chong to Ching See. D
E Cott Hobron and wf to Ferdin-
and West D
Clara Spreckels & Co by atty to E
C Hobron P R
Julia H Afong to William F Allen
..... D
Rev PA
Julia H Afong to Albert Afong. P A
Kohala Sugar Co to D P R Iren-
berg L
Hawn Realty and M Co, Ltd, to
Napoe and hab. Rel
George N Rutherford and wf to
Alice K Keawe. D
J D Avery to J A Combs. B S

Recorded Dec. 2, 1904.

Victorino Ventura and wf to J W
Fleming, M; 2 pc land, Pulehuiki,
Kula, Maui; lot 5, Kaonoulu lots, Ku-
la, Maui; \$400. B 282, p 178. Dated
Nov 4, 1904.
K Togo to G Masuda, A L; pc land,
Wainalu, Kaanapali, Maui; \$100. B
273, p 22. Dated Nov 28, 1904.
S M Damon and wf to United States
of America, D; int in pc land, Moana-
lua, Honolulu, Oahu; \$1. B 264, p 221.
Dated May 12, 1904.

T Mito to Mrs H K Meemano, B S;
1 mare, buggy and harness; \$140. B
265, p 305. Dated Nov 4, 1904.
Pelelilli and wf to Hawn Agret'l Co,
L; por lot 1 gr 2158, Makaakupa, Kau,
Hawaii; 10 yrs at \$3 per acre per yr.
B 263, p 175. Dated Nov 29, 1904.

Wailuku Sugar Co to C Brewer &
Co, Ltd, D; por kul 1742 ap 2, Koloa,
Wailuku, Maui; \$2000. B 264, p 222.
Dated Dec 2, 1904.

Gear, Lansing & Co, by trs, to W M
Minton, Par Rel; lots 1 to 6 (incl)
blk 61, and lots 1 to 18 (incl) blk 64,
Waialae tract, Honolulu, Oahu; \$1. B
260, p 310. Dated Nov 29, 1904.

Entered for Record Dec. 10, 1904.
James A Hopper Co Ltd to H A
Heen. Rel
Wong Leong to Min Yee. L
Oahu Railway & Land Co to Em-
ma L Dillingham. D
Est of S C Allen by trs to Oahu
Railway & Land Co. A M
Mary L Porter to Daniel Porter. D
Chas. More and wf to Court of Ma-
unakea No 5564 A O F. M
Z Kakina and wf by affit of mortgage
to Albert S Wilcox. F A

Recorded Dec. 5, 1904.

Watanabe to Sasi et al BS; int in
2 leaseholds, livestock, stores, supplies,
accts, fixtures, etc, S Kona, Hawaii.
\$1200. B 274, p 5. Dated Sept. 5, 1904.
Kehoa (K) to Kahanapule (W), D;
kul 7849, Keehia, Hamakua, Hawaii.
\$1. B 261, p 496. Dated Dec 18, 1876.
Ed Waiholo and wf to Pih Kekai,
D; R P 1842, kul 5017, Kelawea, Lahai-
na, Maui. \$75. B 261, p 497. Dated
Oct 21, 1904.

Maud E Freeman et als to Mary Phil-
lips (widow), D; int in 19380 sq ft land
cor Port and Kukui streets, Honolulu,
Oahu. \$3750. B 264, p 228. Dated Nov.
15, 1904.

C Brewer & Co Ltd to Mary Dumas
(widow), Ex D; por kul 1742 ap 2 and
bldg, Koloa, Wailuku, Maui. B 264, p
231. Dated Dec 3, 1904.

Mary Dumas (widow) to C Brewer &
Co Ltd, Ex D; R P 727, 6293, 4096, 1-3
int in R P 4807; 9-30 int in R P 6293
and water rights, Halaula etc, Wailu-
ku, Maui. \$500. B 264, p 231. Dated
Dec 3, 1904.

N E Gedge and wf to James L Mc-
Lean, P A, general powers. B 265, p
309. Dated Feb 28, 1900.

Norman E Gedge to James L Mc-
Lean, Par Rev P A; power dated Feb
28, 1900, in liber 265, folio 309. B 265, p
311. Dated June 26, 1903.

Peter Becker and wf to W E Shaw,
Add Chge; lot 25 of gr 3536 and bldgs
cor Nottley and Middle streets, Honolu-
lu, Oahu, por lot 27 of gr 3610, Nott-
ley street, Honolulu, Oahu. \$200. B
260, p 315. Dated Dec 3, 1904.

Bow Wo Hoon to Bow Sheon, B S;
int in 1 share in Wing On Tai Co.
\$1460. B 265, p 311. Dated Dec 1, 1904.

John H Cummings et al by mtgee to
Lyle A Dickey, Forc Affit; int in 5
pes land, Kaupo and Lahaina, Maui;
int in 10 pes land, Kapalama, etc, Ho-
nolulu, Oahu; int in Est of W H Cum-
mings, decs. B 260, p 316. Dated Dec
5, 1904.

Kelupokanul (W) et als to Bow Kee,
L; pc land and bldg 20 yrs at \$50 per
yr. B 263, p 177. Dated Dec 9, 1904.

Theo H Davies & Co, Ltd, to C Ahi,
Rel; 4 40-100 acr land, Makapala, Ko-
hala, Hawaii. \$525. B 237, p 109. Dated
Nov 30, 1904.

C Ahi to Theo H Davies & Co, Ltd,
D; 4 40-100 acr land, Makapala, Ko-
hala, Hawaii. \$525. B 261, p 498. Dated
Nov 30, 1904.

L Antonio Barboza and wf to Maria
da S Canario, M; pes land, livestock,
1 brake, etc, Kaliwi, S Hilo, Hawaii.
\$830 88. B 267, p 46. Dated Nov 22,
1904.

Manuel D Mello to Amelia da Souza,
B S; building, Volcano street, Hilo,
Hawaii. \$170. B 265, p 313. Dated Nov
2, 1904.

James B Castle and wf to Territory
of Hawaii, D; por R P 149 of kuls 998
and 3578 B, Paooa, Honolulu, Oahu.
\$2450. B 264, p 234. Dated Oct 31, 1904.

H M von Holt to Territory of Haw-
ai by Supt Pub Works, A L; por kul
41, Pauahi street extn, Honolulu Oahu
\$1. B 263, p 178. Dated May 27, 1904.

**SEARCH FOR
"LEVANT" ISLAND**

The Army and Navy Journal has the
following: With reference to the state-
ment in our issue of Nov. 12, concern-
ing the "Cruise of the Tacoma" in
search of a doubtful island in the
North Pacific Ocean, Mr James D.
Hague, who accompanied the vessel,
writes us saying: "The Tacoma's ac-
tual searching time was just four
days (see Commander Nicholson's re-
port, printed in your issue of June 11),
instead of four weeks, as erroneously
stated in your recently published no-
tice. The results of the Tacoma's
search were conclusive only as far as
it concerns the ocean area actually seen
from the track line of the ship. The
total area thus examined is not more,
perhaps less, than one-third of the
questionable region from which reports
of such an island have come, from
time to time, during many years past,
leaving an area of 20,000 to 30,000 square
miles still unexplored. The Tacoma
gave up the search, not because it was
hopeless, but because longer stay be-
came impracticable by reason of in-
sufficient coal supply."

COMMERCIAL NEWS

BY DANIEL LOGAN.

It has been an active week in stocks, Kihai leading with 500 shares at \$13 and closing with that figure bid. Ewa has stiffened up and a bid for a block at \$26 1/2 was made on the board. One reason given is that with the high price of sugar Ewa's profits will be very large, which, in addition to the prospective wiping out of the remaining \$100,000 of bonded indebtedness, is likely to have the result of increased dividends. Some anticipate that Ewa will go to \$35, while the more conservative set the limit at \$30 but say it will reach that point within a few days. One large handler of Ewa says, however, that there will be a good many sales at \$28 before it goes higher. There is a strong demand for most stocks. Oahu is still selling at par. Pioneer is strong at \$125, Olaa weak at \$5. McBryde is \$5.50 bid with none offered. Honokaa is at par. Kahuku has fallen back to \$25. Hawaiian Sugar is bracing up, \$32 being bid on 'change. There are inquiries for large blocks, but not a great deal of the stock is offering. Splendid prospects for next year stimulate the demand. Although Waialua has declined, the fact is not regarded as significant. The opinion is heard that if a large block of Waialua were sought it would be impossible to get it at anything like present quotations.

The San Francisco market is active, the latest advices being of a public demand for Hawaiian stocks. There are no late quotations, but requests have been received from San Francisco that certain stocks be not sold here for less than figures given, which are considerably above current rates. A cablegram received from E. Pollitz & Co. by Henry Waterhouse Trust Co. yesterday stated that raw sugar sold in New York at 4 7-8c. The Planters' Association was advised by Williams, Dimond & Co. that 88 deg. analysis beets were 14s 4 1/2d., which is a decline of 1 1/2d., no doubt from a speculative flurry.

STRONG BOND MARKET.

Robert W. Shingle of Henry Waterhouse Trust Co., Ltd., said yesterday: "Money seems to be much easier since November 15 than it has been for some time past, resulting in quite an impetus to the bond market. Hawaii Sugar, Pioneer, Haiku, Paa and Oahu 6's and Hawaiian Government 5's cannot be obtained any more at par. So far as Hawaiian Government is concerned, the \$845,000 outstanding are held by two or three parties and are not for sale, being practically out of the market. Haiku, Paa, Hawaiian Sugar and Pioneer are held for 102. Rapid Transit treasury bonds have all been taken up and are held by San Francisco parties at 105, clearing the market of these bonds. A bid of 105 has been made for them, but they are not obtainable. O. R. & L. Co. bonds have weakened by half a point, several small blocks being offered as low as 104. Waialua bonds are offered at par with 99 bid. Olaa, Hilo Railroad and McBryde bonds are obtainable below par. With money easier now it would seem that bond prices are stiffening. An increased relaxation of money certain to ensue when the returns from the higher sugar market begin to come, not later than March, gives promise that bonds will strengthen."

GOSSIP OF THE STREET.

W. A. Bowen of Castle & Cooke, Ltd., agents of Waialua Agricultural Co., puts a distinct quietus upon a rumor that had gained some credence on the street to the effect that it was the intention of the directors of the Waialua at its annual meeting to propose an increase of the capital stock from \$4,500,000 to \$5,000,000, the additional half million to go to the agents to be applied on the plantation's overdraft. "There is positively nothing in it," Mr. Bowen said yesterday. "It is merely the product of idle imagination. I heard the rumor myself, but thought it a joke." People outside the stockbroking circle often ask what the reason is for the depression of O. R. & L. Co. A broker spoken to about it gave the opinion that there was no tangible reason. He regarded the stock at \$65 as a good buy, it being a 9 per cent investment at \$70. "But to-day," he added, "people instead of investing in other stocks are buying sugar stocks." O. R. & L. Co. is stronger on the stock sheet, however, \$67.50 being bid against \$65 last sale. Secretary Atkinson cables from New York that it may be possible to float the new Territorial loan at 4 per cent instead of 4 1/2 as originally planned. This would be better at par. Governor Carter points out, than selling 4 1/2 at 5 per cent premium. The strength of our Govern-ment is at home. It is believed by well informed financiers, will be helpful to the secretary's mission. A panic on the New York Stock Exchange on Friday sent sugar trust stock down 6 1/2, but there was a general recovery of stocks later. All refined sugars advanced 10 cents in the hundred yesterday.

REAL ESTATE.

R. C. A. Peterson the past week sold Mrs. Sam Parker a half acre tract of Pearl City peninsula water front property situated between Macfarlane's and Van Volkenberg's properties, at a fair price. The same dealer sold a lot on Vineyard street to Miss Peabody to fill out a large purchase made last year for over \$40,000. Mr. Peterson's correspondent in San Francisco has not come to time, even with a month's extension, on the Pacific Heights land proposition. The opportunity is, however, still open. The Rapid Transit Co. has a standing offer in the scheme, conditional on giving a stated car service to the heights, with right of way for track extension to Tantalus included. Among recorded conveyances are deed of Waialae lots 1 to 9 from W. M. Minton and wife to the Franciscan Sisters for \$3750; deed of Kaimuki land from Gear, Lansing & Co., trustees to the U. S. War Department, for \$22,600, deed of 92 70 acres at Makawao (Maui) to J. U. Gonsalves et al for \$1240; deed of Mary E. Clark and husband to Hawaiian Fruit and Plant Co. for \$5326.53; and lease of Kohala land from Queen's Hospital to James Wight at \$2550 a year, deed from Geo S Kenway and wife to Francis M. Swanzy of Paauli land for \$5500, and deed of Nuuanu property

**RECOINAGE OF
HAWAIIAN MONEY**

WASHINGTON, December 2.—The director of the mint in his annual report shows that the output of the coinage mints at Philadelphia, San Francisco and New Orleans, which were in operation throughout the fiscal year, was the largest on record. It is estimated that the gold stock of the world in use as money on December 31, 1903 was approximately \$5,600,000,000, of which about one-half was visible in banks and public treasuries. The estimate for the gold stock of the United States at that time was \$1,200,000,000, of which \$850,000,000 was in the treasury and national banks.

On the recoinage of domestic subsidiary coins there was a loss of \$172,271 and on the redemption of Hawaiian coin a profit of \$6272, due to the fact

from Frances Keating to Agatha Nott for \$1700. The War Department has approved the title to the Hobron beach property at Waikiki and approval of the Schaefer title to adjoining property is expected soon. Confirmation of the Hackfeld-Achi foreclosure sale of South Kona ranch property is pending in court. A surrender of lease by W. C. Peacock to the estate of L. Wav has appearance of ending for the present the project of extending Bishop street from King to Merchant street. Real estate business in city property is dormant.

GENERAL ITEMS.

Holiday trade is at last showing something of liveliness. The arrival of five large ocean liners, two army transports and one gunboat the past week contributed greatly to both life and trade in the city. Appropriations for Hawaii requested by Governor Carter and recommended in President Roosevelt's message amount to \$1,585,222.07, consisting of \$250,000 for Honolulu harbor dredging, \$175,222.07 refund of money expended by the Territory on navigation works, \$1,000,000 for Federal building in Honolulu, \$100,000 for Federal building in Hilo, \$10,000 for survey for Hilo breakwater and \$50,000 for sanitary purposes. Joint resolutions of the two commercial bodies have gone forward to back up the recommendations. A formidable strike of Japanese laborers for increase of pay and satisfaction of small grievances is in progress on Waialua plantation. Kahuku plantation directors have hinted at the possibility of dividends beginning the middle instead of the end of the year. Dr. W. C. Wile, a recent notable visitor from Danbury, Conn., states in a letter to the Advertiser that fresh Hawaiian pineapples he bought here reached New York in good condition. Governor Carter tells of rubber tree seedlings he saw flourishing on Maui, which had sprung naturally from the seed of the parent tree planted six years ago, and regards the fact as highly promising of a Hawaiian rubber industry in the future. The Rapid Transit Co is about adding three cars, each with a seating capacity of 66 persons, to its rolling stock. The Hawaiian Tobacco Co, to deal in, not produce, tobacco, has been incorporated. Shortages of flour and barley in the local market have been reported. While general trade has continued slow there is an inspiring presentiment of good times close ahead existing amongst the business community.

INFLUENZA

Can be cured by commencing at the first symptoms to use Chamberlain's Cough Remedy. Thousands have used this remedy during the past year, and we have to learn of a single case where they were not pleased. For sale by All Dealers and Druggists. Benson Smith & Co., Ltd., Agents for Hawaii.

that these pieces of denominations below the dollar are heavier than the corresponding United States coins. The face value of all Hawaiian coins redeemed to date is \$518,312, and their coinage value is \$543,924. The total coinage of Hawaii was \$1,000,000, all issued in 1883.

The seigniorage on silver dollars coined during the year was \$3,032.495, on subsidiary silver coins \$1,950.095 and on minor coins \$1,149.745. The total expenditures of the service for the year were \$1,896,824.

A Canine Paper Thief.

C Maertens of Hoffschlaeger & Co has been missing his Sunday paper for some time back. Last Sunday morning when he heard it thrown against the side of the house he got up to watch and saw a dog enter the yard, pick up the paper, run back across the street with it and hand it to a native boy who sat on the curb. Mr Maertens recovered the Advertiser, the boy explaining that the dog stole it.

**Sleep for
Skin-Tortured Babies
And Rest for
Tired Mothers**



In a warm bath with CUTICURA SOAP and a single anointing with CUTICURA, purest of emollients and greatest of skin cures. This is the purest, sweetest, most speedy, permanent, and economical treatment for torturing, disfiguring, itching, burning, bleeding, scaly, crusted, and pimply skin and scalp humours, with loss of hair of infants and children, and is sure to succeed when all else fails.

Complete External and Internal Treatment for Every Humour, Consisting of CUTICURA SOAP to cleanse the skin of crabs and scabs, CUTICURA Ointment to instantly allay itching and irritation and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A single application is sufficient to cure the severest humours when all else fails. Anti-Depot: E. Towse & Co., Sydney, N. S. W. Sole African Depot: Lister & Co., Cape Town. FURTHER COLOUR: Sole Importers, U. S. A.

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CHLORODYNE.**

ORIGINAL AND ONLY GENUINE.



Each Bottle of this well-known Remedy for
Coughs, Colds, Asthma,
Bronchitis, Neuralgia, Toothache,
Diarrhoea, Spasms, etc.,

bears on the Government Stamp the name of the Inventor
DR. J. COLLIS BROWNE.

Numerous Testimonials from Eminent Physicians accompany each bottle.

Sold in Bottles, 1/1 1/2, 2/9, 4/6, by all Chemists

Sole Manufacturers, J. T. Davenport, Limited, London!

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The INTER-OCEAN free for One Year.

By special arrangement we are enabled to offer the
WEEKLY INTER-OCEAN, of Chicago, absolutely free of
charge to all new subscribers to the HAWAIIAN GAZETTE
(Semi-weekly), who send in their subscriptions between now
and January 1st, 1905, such subscriptions to be for one year.
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The WEEKLY INTER-OCEAN is the leading journal of
the Middle West and in addition to its perfect news service
has many new and valuable features among which are its
Farm Department, Forestry and Floriculture, Care of the
-Horse, Boys and Girls page, International Sunday School
Lesson, Home Health Club, Health and Beauty Hints, New
Household Ideas, Practical Cookery, Latest Styles for all
Ages, Best Fiction, full Crop and Market reports.

This is undoubtedly the greatest premium offer ever made
in this Territory, being something of lasting, practical benefit
to all who take advantage of it.

SEMI-WEEKLY HAWAIIAN GAZETTE for one year
with Weekly Inter-Ocean for one year, both postpaid to our
address for \$5.00 the regular price of the Gazette alone. Pay-
able strictly in advance.

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Read the Advertiser.

PURITY OF ELECTIONS

Judge Dole Delivers His Charge to Federal Grand Jury.

Men who were prominent in the not remote period of history making in the Hawaiian Islands, veterans of the Hawaiian jury box, several leading campaigners of both the Republican and Democratic parties, representatives of large business interests and of the mechanical trades—more than one of these classifications being in some cases blended in individuals—altogether it was a panel of jurors the like of which has hardly been seen before in Hawaii which assembled as a grand jury in the United States District Court yesterday afternoon to receive the charge of the court. It was the maximum panel of 23 men which obeyed the summons, but P. C. Jones, the Nestor of them all, was excused at his own request by Judge Dole, on the ground of age and the fact that jury duty he had performed of late proved injurious to his health.

Following is the panel as sworn to investigate the matters and things to be charged by the court for inquiry: S. M. Damon, foreman; Geo. K. Kaia, J. W. McDonald, F. L. Waldron, S. G. Wilder, Chas. Butzke, C. G. Ballentyne, J. P. Winne, Geo. C. Watt, H. Lan- caster, S. N. Hundley, E. D. Carley, Hugh McCarrison, C. M. V. Forster, J. A. McCandless, W. O. Atwater, J. A. Gilman, J. P. Cooke, E. R. Bath, John Effinger, H. A. Wilder, J. J. Spitzer.

After the charge of the court had been delivered as below summarized, C. E. Calvert was sworn as bailiff to wait upon the grand jury. Judge Dole placed the courtroom at the disposal of the grand inquest.

THE JUDGE'S CHARGE.

Judge Dole read his charge to the grand jury, which began with a statement of the functions of that body. He stated that matters would probably be presented for consideration by them under the following sections of the Revised Statutes of the United States, viz:

"Sec. 5508. If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be punishable by fine and imprisonment."

"Section 5403. Every person who willfully destroys or attempts to destroy, or carries away any record, paper or proceeding of a court of justice, or any paper, or document, or record filed or deposited in any public office, shall without reference to the value of the record, paper, document, or proceeding so taken be punishable by fine or imprisonment at hard labor, or both."

"Section 5408. Every officer having the custody of any record, document, paper or proceeding specified in section 5403, who fraudulently takes away, or withdraws, or destroys, any such record, document, paper, or proceeding filed in his office or deposited with him or in his custody, shall be punishable by fine, or both; and shall, moreover, forfeit his office and be forever afterward disqualified from holding any office under the Government of the United States."

Among other observations the charge contained the following:

"As grand jurors of the Federal Court, you are probably voters and may be more or less interested respectively in the prestige and good name of the several political parties; which interest, though laudable, must be subordinated to the paramount interest of all citizens in the integrity of the state and the moral and material prosperity dependent thereon."

"I need hardly remind you of the insidious and weakening influence of such acts as improperly interfere with the freedom of voting upon that great object of government, the supremacy of law, and upon the standing of the political parties in whose behalf they are perpetrated, as well."

"You are at liberty to apply to the court at any time for further instructions upon any of the matters already referred to, or upon other subjects that you may have under consideration."

THE FARMERS TALK SHOP

(Continued from page 5.)

McWayne's, in Kona, he found coffee trees had developed satisfactorily. About 200 acres of sugar had also been planted at this place. Mrs. Shipman had coffee trees bearing from which she picked berries when a child.

There was a future for coffee in Hawaii. The United States never before had territories which could grow coffee and for that reason, with Hawaii, Porto Rico and the Philippines as outlying possessions, Congress should give some attention to the development of coffee within its borders. Inferior coffee was being brought into the United States from foreign countries which should be barred when good and far better coffee could be grown in Hawaii and other outlying parts of the United States. There was a law against the importation of tea believed to be injurious, and so there should be a similar law covering coffee.

INSECT PESTS.

Mr. Kolinsky, assistant to Alexander Cram of the Territorial Board of Agriculture, spoke of the insects which entomologists find in great numbers

and varieties in Hawaii. Among the large importations made by the people of Hawaii were insects. An insect brought in here from another country found itself somewhat isolated and started out in search of food and picked on something which ultimately caused a loss to planters and farmers alike. He had found that yards in Honolulu were genuine incubators for injurious insects, and all were ready to attack any plantation. There were many yards, not inhabited by their owners, but given over to Oriental and other leases. Such places were a delight to the entomologist, for in them he could find a large and rare collection of insects, while on the mainland the same insects would generally be found only in the laboratories, dead, frequently, spread out and labeled. It was better late than never and he was glad to see that the Government and planters had begun a warfare on such pests. The Territory was to be congratulated in having just the man (Prof. Cram) to wage the warfare.

MR. VAN DINE'S CONTRIBUTION.

D. L. Van Dine, entomologist of the United States Experiment Station, contributed an interesting and valuable lot of notes on insect work. The paper was intended largely to give practical advice to farmers on the insects which infest their fields and crops. There were many insects which were not injurious, but the majority were injurious. Oftentimes the farmer did not know the difference and destroyed the good and the bad. There should be co-operation between the farmer and the government entomologist. The correspondence between the two was growing in Hawaii and Mr. Van Dine hoped to see it reach large proportions. The farmer should take the preliminary work of the laboratory as suggestive rather than positive.

In diversified farming the farmer was often but an amateur. There were many drawbacks to farming in Hawaii as elsewhere, but one should take into consideration that in some things the farmer in Hawaii got three crops to the mainland's one.

WHAT IS THE REMEDY?

First: The issuing of at least one full retail license on every plantation, so that there can be no excuse on the part of the people that they are unable to obtain required supplies; then a strict and impartial carrying out of the laws, as to terms of license as well as illicit trade.

Second: The issuing of at least one wholesale or dealers' license in each district from which the retail places could be supplied. This would force the trade into recognized channels, and enable the police to exercise direct supervision. It would be found that the retail dealer, being able to supply the demand for any and all kinds of liquors, would himself have no incentive to infringe the terms of his license. Under present conditions, even where there is a light wine and beer license, the holder of such license, by reason of his being unable to supply the local demands, is at the mercy of the illicit seller, for the reason that the restrictions of his license will not allow him to make a living, and in order to do so he is compelled to deal in forbidden articles, as well as to condone the greater offense, of the illicit seller, who is in many instances his next-door neighbor.

Unhesitatingly pronounce the light wine and beer license as an absolute failure for the purposes for which it was intended. I stated this to the Senate Committee when it was before the Legislature, and have always since been convinced that I was then correct.

The same reasoning applies to the local beer license. It is a direct cover and inducement for the unscrupulous to break the law and conditions of license.

There is, however, a serious obstacle to the carrying out, at the present time, of the suggestions to issue retail licenses on each plantation as above mentioned, and that is, in the country districts, the sum of \$1,000.00 is too high, and I believe very few would be taken out, and I recommend that a new law be presented to the next Legislature on the lines as to license and selling restrictions, as are hereafter specified.

Until a new law is enacted, I can see no way of preventing illicit selling on the part of those holding either malt or light wine beer licenses, other than vigilant watching on the part of the police, and prosecution in case of infringement.

With the so-called clubs, however, I should think that a distinction could readily be made between them and the Pacific Club, for the reason that the latter is a duly incorporated club and of record. I do not say that the Pacific Club would not be liable for a license, but that it might be held that these clubs constituted a company or copartnership, and thus were liable for not recording such. Under the law I believe there is a penalty of five dollars per day for failure to place a copartnership on record. If these clubs could be held liable under this, it would seem to be an easy matter to break them up.

The idea of having licensed dealers, either wholesale, jobbing or retail, held responsible for sales to illicit dealers, will, in my opinion, be absolutely ineffective, and can only result in loss to the conscientious and immediate profit to the unscrupulous and will tend to force the business more than ever into the hands of the Asiatic, who will never be either willing or able to understand such a reasoning.

As to the new law, I propose for your consideration the following:

First: That for the purpose of defining the classification of licenses, I suggest that the towns of Honolulu, Hilo and Waikuku be designated districts of the first class and that the boundaries of such districts be within a radius of three miles from the postoffice or police court. All areas outside of three miles to be known as districts of the second class. I then recommend

THE ORGANIZATION OF THE GOVERNMENT OF HAWAII

(Continued from page 5.)

The form of doing business shall be as follows: The nobles shall appoint a secretary for themselves, who, at the meetings shall record all decisions made by them and that book of records shall be preserved in order that no decrees affecting the interests of the kingdom may be lost.

The same shall be done by the representative body. They too shall choose a secretary for themselves, and when they meet for the purpose of seeking the interests of the kingdom, and shall come to a decision on any point then that decision shall be recorded in a book and that book shall be preserved in order that nothing valuable affecting the interests of the kingdom should be lost. And there shall be no new law made without the approbation of a majority of the nobles and also a majority of the representative body.

When any act shall have been agreed upon by them, it shall then be presented to the King, and if he approve and sign his name and also the Premier—then it shall become a law of the kingdom, and that law shall not be repealed until it is done by the voice of those who established it.

RESPECTING THE TAX OFFICERS.

The King and Premier shall appoint tax officers and give them their certificates of office. There shall be distinct tax officers for each of the islands at the discretion of the King and Premier.

When a tax officer has received his certificate of appointment, he shall not be dismissed from office without first having a formal trial, and having been convicted of fault, at which time he shall be dismissed. Though if the law should prescribe a given number of years as the term of office it may be done.

The following are the established duties of the tax officers: They shall assess the taxes and give notice of the amount to all the people, that they may understand in suitable time. The tax officers shall make the assessment in subservience to the orders of the Governors, and in accordance with the requirements of the law—and when the taxes are to be gathered, they shall gather them and deliver the property to the Governor, and the Governor shall pay it over to the Premier and the Premier shall deliver it to the King.

The tax officers shall also have charge of the public labor done for the king, though if they see proper to commit it to the land agents, it is well, but the tax officers being above the land agents shall be accountable for the work. They shall also have charge of all new business which the King shall wish to extend through the kingdom. In all business, however, they shall be subject to the Governor.

The tax officers shall be the judges in all cases arising under the tax law. In all cases where land agents and landowners are charged with oppressing the lower classes, and also in all cases of difficulty between land agents and tenants, the tax officers shall be the judges and also all cases arising under the tax law enacted on the 7th of June, 1893.

They shall moreover perform their duties in the following manner: Each tax officer shall be confined in his authority to his own appropriate district. If a difficulty arises between a land agent and his tenant, the tax officer shall try the case and if the tenant

be found guilty, then the tax officer, in connection with the land agent shall execute the law upon him. But if the tax officer judge the land agent to be in fault, then he shall notify all the tax officers of his particular island, and if they are agreed they shall pass sentence upon him and the Governor shall execute it. But in all trials, if any individual take exception to the decision of the tax officer, he may appeal to the Governor who shall have power to try the case again, and if exceptions are taken to the decision of the Governor, on information given to the Supreme Judges, there shall be a new and final trial before them.

OF THE JUDGES.

Each of the Governors shall at his discretion appoint judges for his particular island—two or more as he shall think expedient, and shall give them certificates of office. After having received their certificates, they shall not be turned out except by impeachment, though it shall be proper at any time for the law to limit the term of office. They shall act in the following manner: They shall give notice before hand of the days on which courts are to be held. When the time specified arrives they shall then enter upon the trials according as the law shall direct. They shall be the judges in cases arising under all the laws excepting those which regard taxation or difficulties between land agents or landlords and their tenants. They shall be sustained by the Governor whose duty it shall be to execute the law according to their decisions. But if exceptions are taken to their judgment, whosoever takes them may appeal to the supreme judges.

OF THE SUPREME JUDGES.

The representative body shall appoint four persons, whose duty it shall be to aid the King and the Premier, and these six persons shall constitute the Supreme Court of the kingdom.

Their business shall be to settle all cases of difficulty which are left unsettled by the tax officers and common judges. They shall give a new trial according to the conditions of the law. They shall give previous notice of the time for holding courts, in order that those in difficulty may appeal. The decision of these shall be final.

There shall be no further trial after theirs. Life, death, confinement, fine, and freedom from it are all in their hands, and their decisions are final.

OF CHANGES IN THE CONSTITUTION.

This constitution shall not be considered as finally established, until the people have generally heard it, and have appointed persons according to the provision herein made, and they have given their assent, then this constitution shall be considered as permanently established.

But hereafter, if it should be thought desirable to change it, notice shall be previously given, that all the people may understand the nature of the proposed change and the succeeding year, at the meeting of the nobles, and the representative body, if they shall agree as to the addition proposed, or as to the alteration, then they may make it.

The above constitution has been agreed to by the nobles, and we have hereunto subscribed our names Oct. 8, 1840 at Honolulu.

KAMEHAMEHA III,
KEKAUUAHOU.

the issuance of the following licenses for districts of the first class:

Wholesale fee \$500, dealers \$500, retail \$250, hotel \$500, restaurant \$250, saloon \$750, and for districts of the second class: Dealers \$500, retail \$250, hotel \$250, restaurant \$100.

The retail license is to provide a legitimate method of selling by the bottle and up to the lowest quantity sold by the dealer. This license should only be allowed to be taken out either by the holder of a saloon license or a dealer in districts of the first class, the sale of bottles quantities being called for by many of the public, who will not go to a saloon, but cannot now legally purchase in any other place. This license is the one I propose should be issued in the plantation or second class districts, and it should be provided that no drinking is to be done on the licensed premises. This will obviate the great objection of the plantations, as a rule, to the creation of centers where labor can congregate and carouse and will at the same time enable the consumer to obtain legally whatever he requires for his own use.

Hotel and restaurant licenses should have the privilege of sale by the drink or bottle, but for consumption on the licensed premises only.

Dealers and wholesale licenses could remain as they now are, but the dealer should have the privilege of taking out a retail license if he so elects.

The wholesale license is granted to those who deal in general merchandise, and is correctly limited to sales in original packages.

If provision is made for the dealer or jobber to sell from the bottle up, under the retail license, there can be no reason that such licenses be granted to grocers or druggists. The liquor business should be kept absolutely apart, as it is then more perfectly subject to police supervision. San Francisco, recognized universally as a "wide open" city, is using strong efforts to get rid of the liquor license to corner grocers, which has become a nuisance on nearly every street corner. If large grocers are granted liquor license, there is not any reasonable ground to refuse smaller concerns. I mention this because I understand that strong efforts are and will be made by a firm of prominent grocers to obtain licenses to sell by the bottle, and I believe this concession, if made, would cause endless trouble for the reason that all would want the same privilege, and as a matter of fact it would be much better if the liquor business were entirely handled as a separate interest.

Hawaiian Gazette Company, Honolulu, T. H.

Enclosed herewith find five dollars to pay for one copy of the Fundamental Law of Hawaii, which please send to

Name

Address

Cut this out and mail it to the Hawaiian Gazette Company, Honolulu, T. H. with \$5 and the Fundamental Laws of Hawaii will be immediately mailed to you, postage prepaid.

executive as by the licensee; that neither has the right of personal interpretation of privileges on the one hand or of surrender, or restriction on the other; and that it is equally a breaking of the law on the part of the administration to impose material restrictions not contemplated by law as it is for those governed by law to infringe its provisions. It is freely conceded that the administration has not any discretion as to waiving any provision of law on any subject, but it is also submitted that the same authority cannot either by implied or direct threat of the exercise of a prerogative intended and authorized to be used within reason, change any of the privileges allowed and expressed by act of Legislature. Such should be the interpretation, if reasonable and not arbitrary and coercive measures are to prevail in the administration of Government.

Such I believe not to be the intention of the administration in its desire for the effective application of the liquor laws as they now stand. The wholesalers share with the administration the necessity for the correction of the infringements above mentioned as to illicit selling, etc., and I believe will co-operate in any practical manner with the administration to that end. In line with this co-operation the wholesalers will, I feel assured, use their discretion and best efforts to make such co-operation worth while, believing that the administration will also use its best efforts through the machinery of the police and otherwise to the same end.

Assuring you that I am entirely at your service should you desire further conference, I am

Yours faithfully,

J. G. ROTHWELL.

William Swinton Dead.

William Swinton, son of Capt. Harry Swinton and a part Hawaiian on both parental sides, died at ten minutes to four o'clock yesterday morning of peritonitis following an operation for appendicitis. He was engineer of a steam road roller when taken ill. His age was 23 years and his whole life had been spent in Honolulu.

The funeral will take place from the house, 316 Spencer street, at 3 p. m. today. As the lamented young man was a member of Co. G, serving in the regimental drum corps, a detail of the N. G. H. will attend the funeral. The burial will be in Makiki cemetery.

YOU TAKE DESPERATE CHANCES WHEN YOU NEGLECT A COLD.

It should be borne in mind that every cold weakens the lungs, lowers the vitality and makes the system less able to withstand each succeeding cold, thereby paving the way for more serious diseases. Can you afford to take such desperate chances when Chamberlain's Cough Remedy, famous for its cures of colds, can be had for a trifle? Sold by All Dealers and Druggists, Benson Smith & Co., Ltd., Agents for Hawaii.

It is ordered, that Thursday, the 15th day of January, A. D. 1905, at ten o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Lihue, Island of Kauai, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this Order, in the English language, be published in the Hawaiian Gazette, newspaper printed and published in Honolulu, for four successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Lihue, this 22nd day of November, 1904.

By the Court: JNO. A. PALMER, Clerk.

2645—Nov. 25, Dec. 2, 9, 16.

COURT NOTICES.

HACKFELD VS. P. E. LAMAR.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, TERRITORY OF HAWAII—OCTOBER TERM, 1904.

H. Hackfeld & Company, Ltd., a Corporation, Plaintiff, vs. P. E. Lamar, Defendant, The Pioneer Mill Co., Ltd., a Corporation, Garnishee.

ORDER OF COURT FOR PUBLICATION OF SUMMONS.

Upon reading and filing the affidavits of L. N. Baldwin, and D. H. Case, and it appearing to me therefrom that defendant P. E. Lamar, has removed from, and is now a non-resident of the Territory of Hawaii, and that he is now living in the city of San Francisco, State of California; and it also appearing from said affidavits that a cause of action in assumpsit exists between said H. Hackfeld & Company, Ltd., as plaintiff, and said P. E. Lamar, as defendant, and that said P. E. Lamar is a necessary party thereto; and it further appearing that a summons has been duly issued in the above entitled case, and due and diligent inquiry and search made for said P. E. Lamar for the purpose of making personal service thereof upon him as defendant, but that same was not and could not be had for the reasons hereinabove stated, and by said affidavits made to appear:

Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory

of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It further appearing from a reading of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Waialuku, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.

(Sgd.) A. N. KEPOKAI, Judge of the Circuit Court, Second Judicial Circuit.

Attest: (Sgd.) EDMUND H. HART, Clerk, Second Circuit Court, 2623

IN THE CIRCUIT COURT OF THE FIFTH CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE.

In the matter of the Estate of Manoel Rapozo de Freitas, of Kapaa, deceased—Order of Notice of Hearing Petition for Allowance of Final Accounts, Distribution and Discharge.

On reading and filing the petition and accounts of Maria Augusta Rapozo Freitas, Administratrix of the Estate of Manoel Rapozo de Freitas, wherein she asks to be allowed \$10.00 and she charges herself with \$206.22, and asks that the same may be examined and approved, and that a final order may be made of distribution of the property remaining in her hands to the persons thereto entitled, and discharging her and her sureties from all further responsibility as such administratrix;

It is ordered, that Thursday, the 15th day of January, A. D. 1905, at ten o'clock a. m., before the Judge of said Court at the Court Room of the said Court at Lihue, Island of Kauai, be and the same hereby is appointed as the time and place for hearing said Petition and Accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted, and may present evidence as to who are entitled to the said property. And that notice of this Order, in the English language, be published in the Hawaiian Gazette, newspaper printed and published in Honolulu, for four successive weeks, the last publication to be not less than two weeks previous to the time therein appointed for said hearing.

Dated at Lihue, this 22nd day of November, 1904.

By the Court: JNO. A. PALMER, Clerk.

2645—Nov. 25, Dec. 2, 9, 16.

COURT NOTICES.

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Now, therefore, it is ordered that service of summons in this action be made upon the defendant, P. E. Lamar, by publication thereof in the Hawaiian Gazette, a semi-weekly newspaper, published in the English language in Honolulu, Oahu, Territory

of Hawaii, and hereby designated as a newspaper suitable for the advertisement of notice of judicial proceedings; that such publication be had and made at least once a week for four consecutive months; and

It further appearing from a reading of said affidavits, that said defendant, P. E. Lamar, is located in and about the city of San Francisco, State of California;

It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Waialuku, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.

(Sgd.) A. N. KEPOKAI, Judge of the Circuit Court, Second Judicial Circuit.

Attest: (Sgd.) EDMUND H. HART, Clerk, Second Circuit Court, 2623

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It is further ordered and directed that a copy of the summons and complaint in the above entitled case be forwarded forthwith by being deposited in the United States Postoffice at Waialuku, Maui, postpaid, directed to said P. E. Lamar, at San Francisco, State of California.

Service herein shall be deemed completed at the expiration of time prescribed by the order of this court, this cause to stand continued to, and be triable at, the regular March term 1905 of this court.